



Australian Government
Department of Infrastructure and Transport

THE PORTFOLIO BRIEF

AUGUST 2013



Contents

The brief contains an overview of the responsibilities of the Infrastructure and Transport Portfolio, as well as information about the structure and function of the Department.

Overview of the Portfolio

Role and Structure	1
Portfolio Resources	4

Overview of the Department

Role and Activities.....	5
Corporate Management	8
Governance	9
Ministerial Councils.....	11

Attachments

- A. Administrative Arrangements Order
- B. Catalogue of Portfolio Bodies
- C. List of Ministerial Appointments
- D. Standing Council on Transport and Infrastructure Membership
- E. Organisational Structure
- F. Legislation Directory

Overview of the Portfolio

Role and Structure

The responsibilities of the Infrastructure and Transport Portfolio, as set out in the Administrative Arrangements Order (*Attachment A*), include:

- infrastructure planning and coordination;
- transport safety, including investigations;
- land transport;
- civil aviation and airports;
- transport security;
- maritime transport including shipping; and
- major projects office, including facilitation and implementation of all non-Defence development projects.

The Portfolio comprises the following General Government Sector entities which contribute to the well-being of all Australians through outcomes delivered on behalf of the Australian Government.

The **Department of Infrastructure and Transport** (the Department) provides policy advice to the Minister and undertakes policy and regulatory functions and the delivery of administered items on behalf of the Australian Government. The Department also oversees the policy context in which other portfolio agencies operate. It has the following outcomes:

- **Outcome 1:** Improved infrastructure across Australia through investment in and coordination of transport and other infrastructure.
- **Outcome 2:** An efficient, sustainable, competitive, safe and secure transport system for all transport users through regulation, financial assistance and safety investigations.

The Secretary of the Department is Mr Mike Mrdak. The Department's website can be accessed at www.infrastructure.gov.au.

Infrastructure Australia (IA) is a statutory advisory council that contributes to the Department's Outcome 1 by:

- advising governments, investors and infrastructure owners on a wide range of issues including Australia's current and future infrastructure needs; mechanisms for financing infrastructure investments; policy, pricing and regulation and their impact on investment and on the efficiency of the delivery, operation and use of national infrastructure networks; and
- advising on the development of regulative frameworks and the more efficient operation and delivery of infrastructure, to promote productivity improvements.

The Chair of IA is Sir Rod Eddington AO. The work of IA is supported by the Infrastructure Coordinator, Mr Michael Deegan. The Office of the Infrastructure Coordinator, located in Sydney, is supported by the Department. IA's website can be accessed at www.infrastructureaustralia.gov.au.

Portfolio Brief

The **Australian Maritime Safety Authority (AMSA)** is the national safety agency responsible for maritime safety, protection of the marine environment, and aviation and marine search and rescue and has the following outcome:

- **Outcome 1:** Minimise the risk of shipping incidents and pollution in Australian waters through ship safety and environment protection regulation and services and maximise people saved from maritime and aviation incidents through search and rescue coordination.

The AMSA Chairman is Mr Leo Zussino and the Chief Executive Officer is Mr Graham Peachey. AMSA's website can be accessed at <www.amsa.gov.au>.

The primary function of the **Australian Transport Safety Bureau (ATSB)** is to improve aviation, marine and rail safety with the following outcome:

- **Outcome 1:** Improved transport safety in Australia including through: independent 'no blame' investigation of transport accidents and other safety occurrences; safety data recording, analysis and research; and fostering safety awareness, knowledge and action.

The ATSB Chief Commissioner is Mr Martin Dolan. ATSB's website can be accessed at <www.atsb.gov.au>.

The **Civil Aviation Safety Authority (CASA)** conducts safety regulation of civil air operations in Australia and the operation of Australian aircraft overseas. It has the following outcome:

- **Outcome 1:** Maximise aviation safety through a regulatory regime, detailed technical material on safety standards, comprehensive aviation industry oversight, risk analysis, industry consultation, education and training.

The CASA Chairman is Dr Allan Hawke AC and the Director of Aviation Safety is Mr John McCormick. CASA's website can be accessed at <www.casa.gov.au>.

The primary function of the **National Transport Commission (NTC)** is to improve the productivity, safety and environmental performance of Australia's road, rail and intermodal transport system with the following outcome:

- **Outcome 1:** Improved transport productivity, efficiency, safety and environmental performance and regulatory efficiency in Australia through developing, monitoring and maintaining nationally consistent regulatory and operational arrangements relating to road, rail and intermodal transport.

The NTC Chairman is Mr Greg Martin PSM and the Chief Executive Officer is Mr Paul Retter AM. NTC's website can be accessed at <www.ntc.gov.au>.

The portfolio includes **Airservices Australia**, a non-General Government Sector entity which is not consolidated into the Commonwealth General Government Sector Budget Estimates. Airservices Australia is funded by charges to industry and is a government-owned corporation providing safe and environmentally sound air traffic control management and related airside services, such as aviation rescue and fire fighting services. The aviation industry relies on Airservices Australia for aeronautical data, telecommunications and navigation services.

The Airservices Australia Chairman is Air Chief Marshal Angus Houston, AC, AFC (retired) and the Chief Executive Officer is Ms Margaret Staib AM, CSC. Airservices Australia's website can be accessed at <www.airservicesaustralia.gov.au>.

Catalogue of Portfolio Bodies

A catalogue including information about all portfolio bodies including ministerial councils, joint Commonwealth-state bodies, statutory corporations and Commonwealth companies is provided at *Attachment B*.

Appointments to Portfolio Bodies

Appointments to portfolio bodies are a significant activity for the Government and appointments to bodies and offices within the portfolio are made by the Governor-General and the Minister. Appointments considered to be significant require approval from the Prime Minister and at discretion, the Cabinet. A list of ministerial appointments is provided at *Attachment C*.

Key Stakeholders

The portfolio has a range of stakeholders across all tiers of Government and industry sectors.

Portfolio Brief

Portfolio Resources

The table below shows the total new resources provided to the portfolio in the 2013-14 Budget year, by agency (as at 2013-14 Budget - May 2013).

	Appropriation			Receipts	Total
	Bill No. 1 \$m	Bill No. 2 \$m	Special \$m	\$m	\$m
The Department					
Administered appropriations	277.6	403.0	324.6	949.0	1,954.2
Departmental appropriations	190.7	-	-	16.2	206.9
Total	468.2	403.0	324.6	965.2	2,161.2
AMSA					
Administered appropriations	-	-	-	-	-
Departmental appropriations	56.9	7.5	-	131.6	196.0
Total	56.9	7.5	-	131.6	196.0
ATSB					
Administered appropriations	-	-	-	-	-
Departmental appropriations	20.6	1.0	-	2.4	23.9
Total	20.6	1.0	-	2.4	23.9
CASA					
Administered appropriations	-	-	-	-	-
Departmental appropriations	42.5	-	-	143.2	185.7
Total	42.5	-	-	143.2	185.7
NTC					
Administered appropriations	-	-	-	-	-
Departmental appropriations	3.2	-	-	5.9	9.1
Total	3.2	-	-	5.9	9.1
Portfolio Total					2,575.8
Less amounts transferred within portfolio					247.9
				Resources available within portfolio:	2,327.9

Overview of the Department

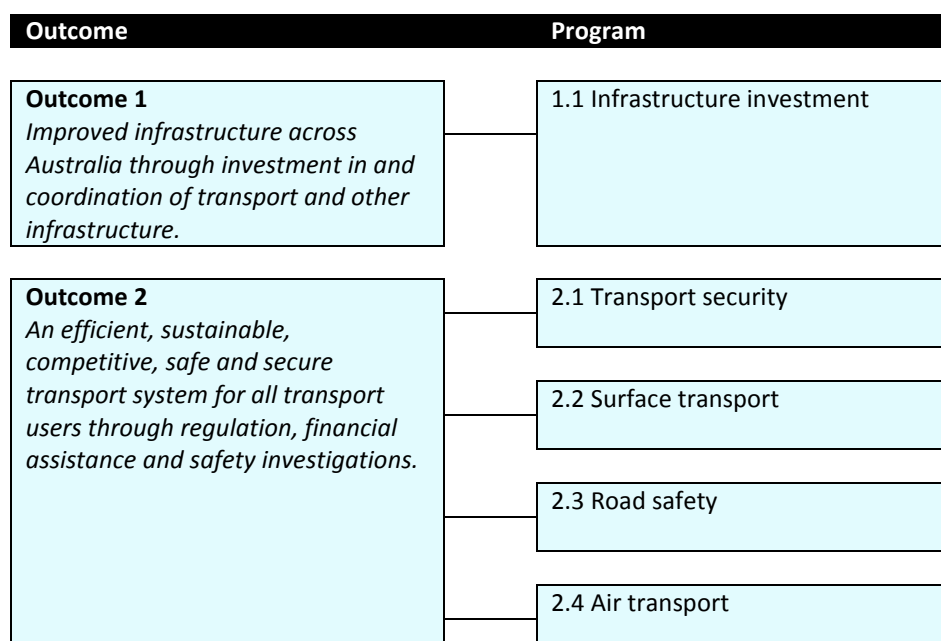
Role and Activities

The Department contributes to the well-being of all Australians by delivering a range of programs designed to assist the Minister to achieve the Australian Government's desired outcomes (described in the overview of the portfolio). In doing so, the Department provides advice and undertakes policy and regulatory functions and the delivery of administered items.

The Department plays a key role in the Australian Government's efforts to build a more productive, sustainable and liveable Australia, particularly through infrastructure planning and strategic investment in transport infrastructure. Central to this is our delivery of the current infrastructure investment agenda, which supports national economic and social development and ensures the safety and security of the transport sector.

The Department will play an important role in providing the Australian Government with policy advice to assist it to respond to new, emerging and critical issues affecting our stakeholders and the nation. These issues include: attracting appropriate levels of investment in Australia's infrastructure; dealing with the opportunities and challenges presented by the Asian century; projected population and demographic changes, and significant growth in demand on Australia's transport network; increasing Australia's productivity through transport and infrastructure policies and investments; developing and improving the resilience of Australia's major cities; and transitioning to a low carbon economy. In addressing such challenges the Department will build on our policy development and delivery, and further strengthen our engagement and partnership with stakeholders and the users of our services.

The relationship between the outcomes and programs delivered is shown below:



Portfolio Brief

Program 1.1: Infrastructure investment

The Department, and the statutory advisory council Infrastructure Australia, promote investment in and coordination of transport and other infrastructure across Australia.

Specifically, the Department:

- contributes to improved transport infrastructure decision-making and delivery through sound management and partnered decision-making with other jurisdictions, involving a range of administered items, including infrastructure investment;
- advises on potential projects to be funded from the Regional Infrastructure Fund;
- advises on potential projects to be funded; and
- advises on transport planning and potential projects to inform future investment.

Infrastructure Australia:

- advises on current and future infrastructure needs; financing mechanisms; policy, pricing and regulative frameworks; and impacts on investment, delivery, operation and use of national infrastructure networks.

Major initiatives during 2013-14 include:

- implementing a range of land transport investment administered items as part of the infrastructure investment programs;
- delivering the Australian Government commitments for land transport infrastructure programs, through the Australian Government equity investment in the Australian Rail Track Corporation and Moorebank Intermodal Company Limited;
- implementing the Regional Infrastructure Fund; and
- continuing work on national transport planning, including high speed rail.

Programs 2.1 transport security, 2.2 surface transport, 2.3 road safety, and 2.4 air transport

Safe and efficient transport systems and transport infrastructure connect Australians with domestic markets and the nation to the global economy and are key determinants of our economic growth. Given the current global and local economic situation, Australia's prosperity depends on having a transport system that is efficient, sustainable, competitive, safe, secure and productive. Achieving long-term productivity growth will require reforms to support the operation of a seamless national economy.

During 2013-14 the Department will continue to advise on and lead national efforts to address key transport issues that support an efficient, sustainable, competitive, safe and secure transport system, including:

- promoting integrated surface transport (road, rail) reforms supporting the operation of single national markets and building on effective relationships with key stakeholders, including other governments, unions, industry and regulators;

- finalising the implementation of COAG initiatives contributing to a seamless national economy including national approaches to heavy vehicle regulation, maritime safety and rail safety regulation and investigation;
- implementation and refinement of the Australian Government's shipping industry reform initiative;
- implementing the Sustaining Australia's maritime skills measure;
- collaborating with relevant agencies (including Infrastructure Australia) on the implementation of the National Ports Strategy and National Freight Strategy;
- commencement of the *Navigation Act 2012*;
- finalising the development of a Global Technical Regulation on Pole Side Impact, improving vehicle occupant protection in side impact crashes;
- ensuring vehicle standards deliver both safety and environmental outcomes and are consistent with international approaches;
- contributing to effective progress on the COAG Heavy Vehicle Charging and Investment Initiative (formerly the COAG Road Reform Plan);
- coordinating a review of the National Road Safety Strategy 2011-2020 and ongoing road safety data collection and progress reporting;
- pursuing ongoing enhancements to Australia's transport security framework;
- continuing implementation of the National Aviation Policy 'White Paper';
- implementing the strengthened aviation security measures;
- continuing to engage with Indonesia, Papua New Guinea and Pacific Island countries to enhance transport safety;
- introducing measures to strengthen transport security systems, including transport security coordination and passenger ship security;
- continuing to promote best practice regulation through progressive improvements in guidance materials, regulatory tools and processes; and
- delivering a range of associated administered items.

A major new activity during 2013-14 is commencing the implementation of the Australian Government's response to the report of the Joint Study on aviation capacity in the Sydney region.

Corporate Management

The Secretary of the Department is Mr Mike Mrdak, who is supported by two Deputy Secretaries; Ms Lyn O'Connell and Mr Andrew Wilson.

The Department is currently organised into four Business Divisions that, in aggregate, deliver the four programs. These are supported by the Policy and Research Division and Corporate Services Division.

Business Divisions are:

- Infrastructure Investment (II);
- Surface Transport Policy (STP);
- Office of Transport Security (OTS); and
- Aviation and Airports (A&A).

The Corporate Services Division objective is to provide high quality business services, systems, advice and support to the Department's business divisions to enable them to deliver their respective programs and activities.

Through its professional teams it is responsible for providing a broad range of corporate services including: ministerial and parliamentary services; financial management services; human resource management services; information technology services; legal services; governance, planning, reporting and evaluation services; and communications services.

The work of the Policy and Research Division assists in areas such as productivity, infrastructure, transport reform and energy efficiency. It includes a small Policy Development Unit, which works with colleagues across the Department and across government on new and emerging trends and issues that will influence the portfolio's future directions. The Division also includes the Bureau of Infrastructure, Transport and Regional Economics, which provides important economic and statistical analysis and applied research to underpin the Department's delivery of the Government's key priorities and the Major Cities Unit which provides advice on issues of policy, planning and infrastructure that have an impact on our cities and suburbs.

Employees are made available by the Department to assist the Infrastructure Coordinator who supports Infrastructure Australia in the performance of its functions. The Department also provides employees who support the International Air Services Commission.

The Department's current organisational chart is provided at *Attachment E*.

Budget (as at 2013-14 Pre-Election Financial Outlook August 2013)

The Department has an estimated expense budget of \$212.4 million in 2013-14. It also manages an administered expense budget of \$5,775.6 million, an administered capital budget of \$19.6 million and administered revenues of \$1,274.1 million.

People

As at 31 July 2013, the Department employed 972 employees. Of this number, 53.70 per cent were male and 46.30 per cent female, 97.84 per cent were ongoing employees (permanent) and 82.51 per cent were located in the ACT.

Employees are primarily employed under the Enterprise Agreement which came into effect on 1 July 2011 and nominally expires on 30 June 2014.

Governance

External Scrutiny

The Department is subject to a number of external checks and balances. External scrutiny includes parliamentary inquiries; audits; investigations by the Commonwealth Ombudsman; privacy complaints and freedom of information requests.

The Department seeks to ensure that the Minister is informed of any actions, audits, investigations and complaints which are sensitive or seem likely to lead to significant criticism of the Department.

Parliamentary Inquiries

Parliamentary committees issue reports from time to time for which the Department has carriage. For each of these reports, the Minister is required to table a response, subject to the Prime Minister's approval.

Commonwealth Ombudsman

As at 31 July 2013, the Ombudsman had received one complaint concerning the Department's actions for 2013-14. This was in relation to the confiscation of items at an airport security screening point.

There were three investigations on hand awaiting finalisation by the Ombudsman. Two of these matters relate to delays in processing vehicle import applications and the other relates to a parking infringement notice issued at the Gold Coast airport.

Privacy Commissioner

As at 31 July 2013, the Privacy Commissioner had received no complaints concerning the Department's actions during 2013-14.

Freedom of Information

As at 31 July 2013, the Department had 12 requests on hand for access to documents under the *Freedom of Information Act 1982*.

Portfolio Brief

Australian National Audit Office (ANAO)

The following audits have recently been completed:

- Design, Implementation and Administration of the Liveable Cities Program; and
- Agencies' Implementation of ANAO Audit Recommendations (cross-agency).

A cross-agency audit on Managing Conflicts of Interest is underway.

Internal Audit and Evaluation

Internal Audit

During 2012-13 the following audits were undertaken:

- Airport Building Controller – Alice Springs Airport;
- Security Processes (Cyber and IT);
- Introduction of Work Health and Safety Legislation; and
- High Speed Rail Study – Procurement and Contract Compliance.

The following audits are in the scoping phase and will be finalised during 2013-14:

- National Compliance Program;
- Regulatory and Compliance Activities; and
- Credit Card Use.

Evaluation

The Departmental Evaluation Strategy was released in April 2012 and formalises the Department's commitment to continuous improvement and accountability, a well-developed policy rationale, a clear idea of what success will look like for our policy, program and regulatory activities and to be able to demonstrate it to our stakeholders. The strategy supports the achievement of the Department's key outcomes by enabling the development and implementation of robust policy initiatives which target the key policy issues of the day.

Evaluations of the Heavy Vehicle Safety and Productivity Program and Strengthening Aviation Security Initiative were completed during 2012-13 and evaluations of the Keys2Drive Program and the Roads to Recovery Program are due for completion by November 2013.

Legislation

The Minister is responsible for a considerable body of legislation relevant to the Department and portfolio agencies. A comprehensive list, including a brief description and the ministerial responsibility under each Act, is contained in the Legislation Directory at *Attachment F*.

The Legislation Directory is current and as such may not match the Administrative Arrangements Order (AAO) at *Attachment A*. The directory includes Acts that have received Royal Assent, and excludes Acts that have been repealed, since the AAO was last updated in May 2013.

Ministerial Councils

The one ministerial council under this portfolio is the Standing Council on Transport and Infrastructure (SCOTI) established by the Council of Australian Governments (COAG). COAG can request ministerial councils to progress, implement or resolve national reforms or matters of high priority.

Standing Council on Transport and Infrastructure (SCOTI)

SCOTI is a ministerial forum for Australian Government, state, territory and local government consultations on transport, infrastructure and planning matters. SCOTI is chaired by the Minister for Infrastructure and Transport. Meetings are generally held bi-annually with venues rotating among the participating governments. A copy of the SCOTI membership is provided at *Attachment D*. SCOTI has a public website which can be accessed at <www.scoti.gov.au>.

Transport and Infrastructure Senior Officials' Committee (TISOC)

TISOC is the senior coordinating body to SCOTI. It is chaired by the Secretary of the Department of Infrastructure and Transport, and is responsible for managing the SCOTI agenda, and for developing a strategic policy work program to assist SCOTI to focus on significant issues as well as dealing with normal business matters.

Infrastructure Working Group (IWG)

The IWG is chaired by the Minister for Infrastructure and Transport and comprises senior officials from relevant state, territory and Australian Government departments and the Australian Local Government Association. The IWG provides advice and guidance on the coordination of infrastructure planning and investment and reports to SCOTI.

Secretariat support for SCOTI, TISOC and IWG is provided by the Department.

COMMONWEALTH OF AUSTRALIA

ADMINISTRATIVE ARRANGEMENTS ORDER

I, Quentin Bryce AC CVO, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, revoke all administrative arrangements previously ordered and order that:

1. The matters dealt with by a Department of State include:
 - (a) the matters referred to in the Part of the Schedule relating to that Department; and
 - (b) matters arising under the legislation administered by a Minister of State administering the Department.
2. The legislation administered by a Minister of State administering a Department is:
 - (a) the legislation referred to in the Part of the Schedule relating to that Department; and
 - (b) legislation passed before or after the date of this Order, that relates to a matter dealt with by the Department, not being legislation referred to in another Part of the Schedule.

Signed and sealed with the Great Seal
of Australia on 16 MAY 2013



Quentin Bryce

Quentin Bryce
Governor-General

By Her Excellency's Command

A large, stylized handwritten signature in black ink, appearing to read 'Julia Gillard'.

Julia Gillard
Prime Minister

PART 13 THE DEPARTMENT OF INFRASTRUCTURE AND TRANSPORT

Matters dealt with by the Department

Infrastructure planning and co-ordination
 Transport safety, including investigations
 Land transport
 Civil aviation and airports
 Transport security
 Maritime transport including shipping
 Major projects office, including facilitation and implementation of all
 non-Defence development projects

Legislation administered by the Minister

Adelaide Airport Curfew Act 2000
Air Accidents (Commonwealth Government Liability) Act 1963
Air Navigation Act 1920
Air Navigation Legislation (Validation and Interpretation) Act 1982
Aircraft Noise Levy Act 1995, except to the extent administered by the Treasurer
Aircraft Noise Levy Collection Act 1995, except to the extent administered by
the Treasurer
Air Passenger Ticket Levy (Imposition) Act 2001
Air Passenger Ticket Levy (Collection) Act 2001, except to the extent administered
by the Minister for Employment and Workplace Relations
Airports (On Airport Activities Administration) Validation Act 2010
Airports Act 1996
Air Services Act 1995
Airspace Act 2007
Airspace (Consequential and Other Measures) Act 2007
ANL Act 1956
Australian Airlines (Conversion to Public Company) Act 1988
Australian Land Transport Development Act 1988
Australian Maritime Safety Authority Act 1990
Australian National Railways Commission Sales Act 1997
Aviation Fuel Revenues (Special Appropriation) Act 1988
Aviation Transport Security Act 2004
Aviation Transport Security Amendment (Screening) Act 2012
Carriage of Goods by Sea Act 1991
Civil Aviation Act 1988
Civil Aviation (Carriers' Liability) Act 1959
Civil Aviation Legislation Amendment Act 1995
Coastal Trading (Revitalising Australian Shipping) Act 2012
Coastal Trading (Revitalising Australian Shipping) (Consequential Amendments
and Transitional Provisions) Act 2012
Competition and Consumer Act 2010, Part X
Damage by Aircraft Act 1999
Inspector of Transport Security Act 2006
International Air Services Commission Act 1992
Interstate Road Transport Act 1985
Interstate Road Transport Charge Act 1985

Infrastructure Australia Act 2008
Lighthouses Act 1911
Limitation of Liability for Maritime Claims Act 1989
Marine Navigation Levy Act 1989
Marine Navigation Levy Collection Act 1989
Marine Navigation (Regulatory Functions) Levy Act 1991
Marine Navigation (Regulatory Functions) Levy Collection Act 1991
Marine Safety (Domestic Commercial Vessel) National Law Act 2012
Maritime Safety (Domestic Commercial Vessel) National Law (Consequential Amendments) Act 2012
Maritime Legislation Amendment Act 2007
Maritime Transport and Offshore Facilities Security Act 2003
Motor Vehicle Standards Act 1989
Nation Building Program (National Land Transport) Act 2009
National Transport Commission Act 2003
Navigation Act 1912
Port Statistics Act 1977
Protection of the Sea (Civil Liability) Act 1981
Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008
Protection of the Sea (Harmful Antifouling Systems) Act 2006
Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds - Customs) Act 1993
Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds - Excise) Act 1993
Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds - General) Act 1993
Protection of the Sea (Oil Pollution Compensation Funds) Act 1993
Protection of the Sea (Powers of Intervention) Act 1981
Protection of the Sea (Prevention of Pollution from Ships) Act 1983
Protection of the Sea (Shipping Levy) Act 1981
Protection of the Sea (Shipping Levy Collection) Act 1981
Qantas Sale Act 1992, Part 3, sections 7 to 13 inclusive
Railway Agreement (Western Australia) Act 1961
Railway Standardization (New South Wales and Victoria) Agreement Act 1958
Road Charges Legislation Repeal and Amendment Act 2008
Roads to Recovery Act 2000
Shipping Grants Legislation Act 1996
Shipping Reform (Tax Incentives) Act 2012
Shipping Registration Act 1981
Submarine Cables and Pipelines Protection Act 1963
Sydney Airport Curfew Act 1995
Sydney Airport Demand Management Act 1997
Transport Safety Investigation Act 2003



Catalogue of Portfolio Bodies

July 2013

Contents

A. Departmental Bodies

Ministerial Councils

Standing Council on Transport and Infrastructure 3

Joint Commonwealth-State Bodies

Australian Motor Vehicle Certification Board 6

Transport and Infrastructure Senior Officials' Committee 8

Advisory Bodies

Australian Bicycle Council 10

High Speed Rail Advisory Group 13

Infrastructure Working Group 15

Maritime Workforce Development Forum 18

Strategic Vehicle Safety and Environment Group 20

Sydney Airport Community Forum 23

Technical Liaison Group 26

Urban Policy Forum 29

B. Departmental Bodies Recognised in Legislation

Statutory Authorities, Statutory Committees and Royal Commissions

Infrastructure Australia 32

International Air Services Commission 35

Motor Vehicle Standards Review Panel 37

C. Prescribed Agencies under the FMA Act

Australian Transport Safety Bureau 39

D. Commonwealth Authorities under the CAC Act

Airservices Australia 42

Australian Maritime Safety Authority 45

Civil Aviation Safety Authority 49

National Transport Commission 52

E. Commonwealth Companies under the CAC Act

Limited by Shares

Australian Rail Track Corporation 55

Moorebank Intermodal Company 58

F. Other Companies

Limited by Guarantee – Direct Commonwealth Interest

Australian Road Research Board (ARRB) Group Limited 61

Austroads Ltd 63

Sydney Airport Slot Manager 66

Transport Certification Australia Ltd 68

Appendix A - Statutory Office Holders

Administrator of Vehicle Standards	72
Associate Administrators of Vehicle Standards	73
Infrastructure Coordinator	75
Inspector of Transport Security	77
Registrar of Liner Shipping	79

About the Catalogue of Portfolio Bodies

Prescribed authorities for the purpose of the <i>Freedom of Information Act 1982</i>	83
Reportable entities under the Gender Balance Target definition	84
Reportable under the Senate Order on Appointments	85

Acronyms

86

Standing Council on Transport and Infrastructure

Annual Report Tabled:	No.
Creation Date:	4 November 2011.
Constituted By:	Appointed Commonwealth, state, territory and New Zealand government Ministers including a representative from the Australian Local Government Association.
Appointed By:	Council of Australian Governments (COAG).
Web Site:	www.scoti.gov.au
Description:	<p>COAG Standing Councils are established to:</p> <ul style="list-style-type: none"> • achieve COAG’s strategic themes by pursuing and monitoring priority issues of national significance which require sustained, collaborative effort; and • address key areas of shared Commonwealth, state and territory responsibility and funding. <p>The Standing Council on Transport and Infrastructure (SCOTI) work program is supported by transport agency chief executives who meet as the Transport and Infrastructure Senior Official Committee (TISOC).</p>
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

On 13 February 2011, COAG agreed to SCOTI replacing the operation and functions of the Australian Transport Council (established 11 June 1993).

Functions

SCOTI’s objective is to achieve a coordinated and integrated national transport and infrastructure system that is efficient, safe, sustainable, accessible and competitive. Achieving this objective will support and enhance Australia's economic development and social and environmental well-being.

National cooperation through SCOTI will seek to maximise the contribution of effective transport and infrastructure to Australia’s productivity, quality of life and equity. SCOTI will undertake critical reforms for Australia that will drive future prosperity.

Improved transport and infrastructure across Australia will help to create a more liveable Australia, with transport and infrastructure integrated into urban and regional planning to foster an inclusive Australia.

SCOTI’s high level policy responsibilities include:

- surface transport;
- transport safety and security;
- promotion of more efficient and environmentally conscious transport, including through vehicle emission standards and national cycling promotion;
- infrastructure policy and investment, including road, rail and ports;
- infrastructure and related land use planning; and
- strategic planning for infrastructure and consistency with agreed criteria for capital city strategic planning systems.

SCOTI works closely with the Regional Australia Standing Council to ensure integrated action for regional Australia.

Governance arrangements

The activities of SCOTI are set out in the COAG agreed *Terms of Reference*.

Mandatory reporting

SCOTI is required to report to COAG annually on its activities.

Ministerial roles and responsibilities

The Australian Government Minister for Infrastructure and Transport is the permanent Chair of SCOTI.

Departmental roles and responsibilities

The Department provides secretariat support to SCOTI.

Organisation

Structure

SCOTI is supported by a formal governance structure headed by TISOC.

Funding

Individual jurisdictions fund their own representation on SCOTI. Where funding is required for specific projects (for example; consultancies) being undertaken by SCOTI, member jurisdictions contribute on the basis of an agreed funding formula.

Staff

Apart from the provision of secretariat support, SCOTI is not staffed.

Standing Council members

SCOTI members are Commonwealth, state, territory and New Zealand Ministers with responsibility for transport and infrastructure issues and the Australian Local Government Association.

Members

Position:	Member:	Appointment Type:
Chair		COAG – Ex officio - (Minister for Infrastructure and Transport - Commonwealth)
Member	The Hon Gladys Berejiklian MP	COAG – Ex officio - (Minister for Transport - NSW)
Member	The Hon Duncan Gay MLC	COAG – Ex officio - (Minister for Roads and Ports - NSW)
Member	The Hon Brad Hazzard MP	COAG – Ex officio - (Minister for Planning and Infrastructure, Minister assisting the Premier on Infrastructure - NSW)
Member	The Hon Terry Mulder MP	COAG – Ex officio - (Minister for Roads, Minister for Public Transport - Vic)
Member	The Hon David Hodggett MP	COAG – Ex officio - (Minister for Ports, Major Projects, Manufacturing - Vic)
Member	The Hon Jeff Seeney MP	COAG – Ex officio - (Deputy Premier, Minister for State Development, Infrastructure and Planning - Qld)
Member	The Hon Scott Emerson MP	COAG – Ex officio - (Minister for Transport and Main Roads, Qld)

Member	The Hon David Crisafulli MP	COAG – Ex officio - (Minister for Local Government, Qld)
Member	The Hon Troy Buswell MLA	COAG – Ex officio - (Minister for Transport - WA)
Member	The Hon John Day MLA	COAG – Ex officio - (Minister for Planning - WA)
Member	The Hon Tom Koutsantonis MHA	COAG – Ex officio - (Minister for Transport and Infrastructure - SA)
Member	The Hon David O'Byrne MP	COAG – Ex officio - (Minister for Infrastructure - Tas)
Member	The Hon Adam Giles MLA	COAG – Ex officio - (Minister for Transport - NT)
Member	The Hon Peter Chandler MLA	COAG – Ex officio – (Minister for Lands, Planning and the Environment, NT)
Member	Mr Simon Corbell MLA	COAG – Ex officio - (Attorney General - ACT)
Member	The Hon Gerry Brownlee MP	COAG – Ex officio - (Minister of Transport - NZ)
Member	Mayor Felicity-Ann Lewis	COAG – Ex officio - (President, Australian Local Government Association)

Contact

Department

Mr John Izzard
 SCOTI Secretariat
 Surface Transport Policy Division
 GPO Box 594
 CANBERRA ACT 2601
 Ph: (02) 6274 7333
 Email: John.Izzard@infrastructure.gov.au

Australian Motor Vehicle Certification Board

Annual Report Tabled:	No.
Creation Date:	4 November 1969. Reconstituted 22 July 2010.
Constituted By:	Representatives from the Department and each of the state and territory road transport authorities.
Appointed By:	Executives of relevant Commonwealth and state and territory departments.
Description:	<p>The Australian Motor Vehicle Certification Board (AMVCB) was originally formed in 1969 to manage vehicle certification. After passage of the <i>Motor Vehicle Standards Act 1989</i> it assumed an advisory function.</p> <p>The forum was reconstituted by SCOTI in July 2010 with a more strategic focus. It considers whole of vehicle life regulatory issues as well as, the interface between Commonwealth, state and territory law, with emphasis on vehicle safety.</p>
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Functions

AMVCB considers issues in relation to the operation of the *Motor Vehicle Standards Act 1989* and whole of vehicle life regulation.

Governance arrangements

Departmental roles and responsibilities

Chair and secretariat.

Organisation

Structure

AMVCB is made up of representatives from the Department, and each of the state and territory road transport authorities.

Funding

The Department provides funding for secretariat services.

Members

NB: Jurisdictions are allowed to have more than one member, but are limited to one vote.

Position	Member	Appointment Type
Chair	Mr Robert Hogan	Ex officio - (Department of Infrastructure and Transport)
Member	Mr Peter Hunter	Ex officio - (ACT Road Transport Authority)
Member	Mr Julian Del Beaton	Ex officio - (National Transport Commission)
Member	Mr Bruce Campbell	Ex officio - (NSW Transport)
Member	Mr Dan Leavy	Ex officio - (NSW Transport)
Member	Mr Davey Uprichard	Ex officio - (NZ Transport Agency)
Member	Mr Bill Muirhead	Ex officio - (NT Road Transport Compliance)
Member	Mr Wayne Lo	Ex officio - (NT Government)
Member	Mr Simon Saunders	Ex officio - (NT Government)
Member	Mr Keith Watts	Ex officio - (Qld Transport and Main Roads)
Member	Mr Anant Bellary	Ex officio - (Qld Transport and Main Roads)
Member	Mr Lesley Emmett	Ex officio - (SA Department of Planning, Transport and Infrastructure)
Member	Mr Rickman Smith	Ex officio - (SA Department of Planning, Transport and Infrastructure)
Member	Mr John Wilson	Ex officio - (Transport Tasmania)
Member	Mr Jeremy Gleeson	Ex officio - (Transport Tasmania)
Member	Mr Arusha Ziapur	Ex officio - (Main Roads Western Australia)
Member	Mr John Marcolina	Ex officio - (Main Roads Western Australia)
Member	Mr Barry Hendry	Ex officio - (Victorian Department of Transport, Planning and Local Infrastructure)
Member	Mr Ross McArthur	Ex officio - (VicRoads)

Contact

Department

Mr Robert Hogan
General Manager
Vehicle Safety Standards Branch
Surface Transport Policy Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7266
Email: Robert.Hogan@infrastructure.gov.au

Transport and Infrastructure Senior Officials' Committee

Annual Report Tabled:	No.
Creation Date:	23 September 2011.
Constituted By:	Departmental heads of the relevant Commonwealth, state and territory governments and New Zealand government departments, the National Transport Commission and the Australian Local Government Association.
Appointed By:	Commonwealth, state, territory and New Zealand Government Ministers.
Description:	The Transport and Infrastructure Senior Officials' Committee (TISOC) is the Chief Executive Officers supporting committee to the Standing Council on Transport and Infrastructure (SCOTI).
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

TISOC is the senior coordinating body to SCOTI.

Functions

TISOC's key function is to develop, coordinate and progress SCOTI agenda.

Governance arrangements

Mandatory reporting

TISOC reports to SCOTI.

Ministerial roles and responsibilities

TISOC coordinates the development and maintenance of SCOTI agenda.

Departmental roles and responsibilities

In addition to the Department's provision of secretariat support, the Secretary of the Department is the permanent Chair of TISOC.

Organisation

Structure

TISOC is supported by a formal governance structure. Members are appointed by the relevant Minister.

Funding

Individual jurisdictions fund their own representation. Where funding is required for specific projects (for example; consultancies) being undertaken by or on behalf of SCOTI, member jurisdictions contribute on the basis of an agreed funding formula.

Staff

Apart from the provision of secretariat support, TISOC is not staffed.

Members

Position	Member	Appointment Type
		Appointed by the relevant Government Minister
Chair	Mr Mike Mrdak	Secretary, Department of Infrastructure and Transport
Member	Mr Les Wielinga	Director-General, Transport - NSW
Member	Mr Peter Duncan	Chief Executive, Roads and Maritime Services - NSW
Member	Mr Sam Haddad	Director-General, Department of Local Government and Planning - NSW
Member	Mr Dean Yates	Secretary, Department of Transport, Planning and Local Infrastructure - Vic
Member	Mr Gary Liddle	Chief Executive, VicRoads - Vic
Member	Mr Neil Scales	Director-General, Department of Transport and Main Roads - Qld
Member	Mr David Edwards	Director-General, Department of State Development, Infrastructure and Planning - Qld
Member	Mr Reece Waldock	Director-General, Department of Transport - WA
Member	Mr Stephen Troughton	Managing Director, Main Roads - WA
Member	Mr Eric Lumsden	Director-General, Department of Planning - WA
Member	Mr Rod Hook	Chief Executive, Department of Planning, Transport, and Infrastructure - SA
Member	Mr Norm McIlfratrick	Secretary, Department of Infrastructure, Energy and Resources - Tas
Member	Mr Mike Burgess	Acting Chief Executive, Department of Transport - NT
Member	Mr Ken Davies	Chief Executive, Department of Lands, Planning and the Environment - NT
Member	Ms Alison Playford	Deputy Director-General, Community Safety Justice and Community Safety Directorate - ACT
Member	Ms Dorte Ekelund	Director-General, Environment and Sustainable Development Directorate - ACT
Member	Mr Martin Matthews	Secretary for Transport, Ministry of Transport - NZ
Member	Mr Adrian Beresford-Wylie	Chief Executive Officer, Australian Local Government Association
Member	Mr Paul Retter AM	Chief Executive, National Transport Commission
Member	Mr Greg Martin	Chair, National Transport Commission

Contact

Department

Mr John Izzard
SCOTI Secretariat
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7333

Email:

John.Izzard@infrastructure.gov.au

Australian Bicycle Council

Annual Report Tabled:	No, but provides an Annual Report to the Standing Council on Transport and Infrastructure (SCOTI) through the Austroads Council.
Creation Date:	23 June 1999.
Constituted By:	16 members.
Appointed By:	The Executive Officers of Australian Government, state and territory road/transport agencies, the Australian Local Government Association, the bicycle industry, cyclist user groups and New Zealand Transport Agency.
Web Site:	www.austroads.com.au/abc/
Description:	The Australian Bicycle Council is the national body established to manage and coordinate the implementation of The <i>Australian National Cycling Strategy 2005-2010</i> and currently oversees and coordinates the implementation of the <i>Australian National Cycling Strategy 2011-2016</i> .
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status

The Australian Bicycle Council acts as a jurisdictional forum providing input to Austroads on technical matters, and provides a cycling perspective on Austroads research and the development of Austroads publications.

Functions

The *Australian National Cycling Strategy 2005-2010* and the *Australian National Cycling Strategy 2011-2016* have been developed as a coordinating framework identifying responsibilities that lie with governments at all levels, and community and industry stakeholders to encourage and facilitate increased cycling in Australia.

The Australian Bicycle Council sets out actions, with targets, timeframes and resources that will ensure the continued growth of this important component of Australia's transport system.

The role of the Australian Bicycle Council is to:

- oversee and coordinate implementation of the *Australian National Cycling Strategy 2011-2016*;
- provide a forum for the sharing of information between stakeholders involved in the implementation of the strategy; and
- maintain a repository of information and resources relevant to providing for and promoting increased cycling in Australia.

Governance arrangements

Mandatory reporting

The Australian Bicycle Council reports annually to SCOTI, through Austroads and the Transport and Infrastructure Senior Officials Committee (TISOC), on the implementation of the *Australian National Cycling Strategy 2011-2016*.

Ministerial roles and responsibilities

The Minister has no direct role in the Australian Bicycle Council.

Departmental roles and responsibilities

The Department has a representative on the Australian Bicycle Council.

Organisation

Structure

The Australian Bicycle Council has 16 members including the Chair, and an observer nominated by New Zealand Transport Agency. Membership is as follows:

- a Chair nominated by Austroads;
- Australian Government representatives:
 - a representative from the Department;
 - a representative from the Department of Sustainability, Environment, Water, Population and Communities; and
 - a representative from the Department of Health and Ageing;
- state and territory road/transport agencies:
 - a nominee of each Austroads state/territory member organisation;
- a nominee of the Australian Local Government Association;
- bicycle industry representatives:
 - a representative of Bicycle Industries Australia Inc; and
 - a representative of Retail Cycle Traders Australia Inc;
- cyclist user groups representation:
 - a representative from a national body for bicycle users;
- observers:
 - a nominee of New Zealand Transport Agency.

Funding

The Department funds Austroads to provide for the secretariat function. Meeting attendance costs are met by attendees. There are no sitting fees paid to members.

Staff

Secretariat support for the Council is provided by Austroads.

Members

Position	Member	Appointment Type
Chair	Mr Duncan Elliot	Ex officio - Respective Executive Officers - (Regional Director, VicRoads - Vic)
Member	Mr Jeremy Parkinson	Ex officio - Respective Executive Officers - (Director, Major Cities Unit, Department of Infrastructure and Transport)
Member	Mr Anthony Barton	Ex officio - Respective Executive Officers - (Manager, Bicycle and Pedestrian Programs, VicRoads - Vic)
Member	Mr Graham Bradshaw	Ex officio - Respective Executive Officers - (Executive Officer, Retail Cycle Traders Australia - Vic)
Member	Mr Craig Bellamy	Ex officio - Respective Executive Officers - (Road Corridor Land Manager, Department of Planning and Infrastructure - NT)
Member	Ms Kate Piper	Ex officio - Respective Executive Officers - (Acting Assistant Director, Obesity and Physical Activity, Department of Health and Ageing)
Member	Mr Matt Faber	Ex officio - Respective Executive Officers - (Traffic Management, Roads and Traffic Authority - NSW)

Member	Ms Janine Pearson	Ex officio - Respective Executive Officers - (Active Transport Project Officer, Department of Infrastructure, Energy and Resources - Tas)
Member	Mr Russell Greig	Ex officio - Respective Executive Officers - (Acting Manager, Bikewest, Department of Transport - WA)
Member	Mr Stephen Hodge	Ex officio - Respective Executive Officers - (Acting Bicycle Riders representative, Bicycle Riders)
Member	Ms Elaena Gardner	Ex officio - Respective Executive Officers - (Executive Officer, Austroads National Office)
Member	Mr Peter Bourke	Ex officio - Respective Executive Officers - (General Manager, Bicycle Industries Australia Ltd - Vic)
Member	Mr Peter Thompson	Ex officio - Respective Executive Officers - (Project Manager, Territory and Municipal Services - ACT)
Member	Mr Leon Patterson	Ex officio - Respective Executive Officers - (Australian Local Government Association (ALGA) representative)
Member	Mr Peter Watts	Ex officio - Respective Executive Officers - (Manager, Office for Cycling and Walking, Department of Transport, Energy and Infrastructure - SA)
Member	Mr Mark Cridland	Ex officio - Respective Executive Officers - (Deputy Director-General (Policy and Planning Department of Transport and Main Roads – Qld)
Member	Mr Tim Hughes	Ex officio - Respective Executive Officers - (Senior Engineer, Walking and Cycling, New Zealand Transport Agency - NZ)

Contacts

AustRoads

Mr Murray Kidnie
Executive Director
PO Box K659
HAYMARKET NSW 2000
Ph: (02) 9264 2550
Email: abc@austrroads.com.au

Department

Ms Sara Stace
Director
Major Cities Unit
Policy and Research Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 9942 5698
Email: Sara.Stace@infrastructure.gov.au

High Speed Rail Advisory Group

Annual Report Tabled:	No.
Creation Date:	April 2013.
Constituted By:	Seven members.
Appointed By:	The Minister for Infrastructure and Transport.
Web Site:	www.infrastructure.gov.au/hsr (referred to here).
Description:	A high level advisory group to advise the Government on key industry and community issues arising out of the High Speed Rail phase 2 report.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	No.

Legal status

The Minister for Infrastructure and Transport announced the establishment of the High Speed Rail (HSR) Advisory Group on 11 April 2013.

Functions

The HSR Advisory Group will advise the Government on key industry and community issues arising out of the HSR phase 2 report.

Governance arrangements

The HSR Advisory Group is supported by a secretariat within the HSR Unit of the Department. The Group reports to the Minister for Infrastructure and Transport.

Mandatory reporting – Nil.

Ministerial roles and responsibilities

The Minister for Infrastructure and Transport nominates the Chair and the members of the HSR Advisory Group.

Departmental roles and responsibilities

The Department provides secretariat support services.

Organisation

Structure

The HSR Advisory Group is chaired by Ms Lyn O’Connell, Deputy Secretary, Department of Infrastructure and Transport.

Funding

Nil – payment of members’ travel expenses will be funded from departmental funds.

Staff – Nil.

Members

Position	Member	Appointment Type
Chair	Ms Lyn O'Connell	Ex officio (Deputy Secretary, Department of Infrastructure and Transport)
Member	The Hon Tim Fischer AC	Appointed by the Minister for Infrastructure and Transport - Former Australian Deputy Prime Minister and former Ambassador to the Holy See
Member	Ms Jennifer Westacott	Appointed by the Minister for Infrastructure and Transport - Chief Executive, Business Council of Australia
Member	Prof Sue Holliday	Appointed by the Minister for Infrastructure and Transport - Professor of Practice, UNSW Faculty of Built Environment and member of the Urban Policy Forum
Member	Prof Peter Newman	Appointed by the Minister for Infrastructure and Transport - Professor of Sustainability, Curtin University and Infrastructure Australia Board member
Member	Mr Bob Nanva	Appointed by the Minister for Infrastructure and Transport - National Secretary, Rail, Tram and Bus Industry Union and member of the Urban Policy Forum
Member	Cr Jenny Dowell	Appointed by the Minister for Infrastructure and Transport - Mayor of Lismore and President, Northern Rivers Regional Organisation of Councils

Contact

Department

High Speed Rail Unit

Policy and Research Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 8161

Email: highspeedrailstudy@infrastructure.gov.au

Infrastructure Working Group

Annual Report Tabled:	No.
Creation Date:	20 December 2007.
Constituted By:	Council of Australian Governments (COAG) and the Standing Council on Transport and Infrastructure (SCOTI).
Appointed By:	Members are nominated by jurisdictions.
Description:	The Infrastructure Working Group (IWG), chaired by the Minister for Infrastructure and Transport, consists of senior officers from relevant state, territory and Australian Government departments and the Australian Local Government Association. It is supported by a secretariat located in the Department of Infrastructure and Transport and reports to SCOTI.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status - Nil.

Functions

The agreed IWG objectives are:

- better coordination of infrastructure planning and investment across the nation, governments and the private sector; and
- identification and removal of blockages to productive investment in infrastructure.

Governance arrangements

SCOTI endorsed the IWG Project Plan for 2013-14 in accordance with the SCOTI Project Plan (*Project Plan for COAG Priority Issue 5 – Developing and Implementing Reforms to Infrastructure Investment and Financing*). As part of this arrangement, IWG is required to develop reforms to infrastructure investment, procurement and financing.

Mandatory reporting

Through the SCOTI endorsed work program, IWG reports annually to COAG under the COAG Priority Issue 5 - *Developing and Implementing Reforms to Infrastructure Investment and Financing*.

Ministerial roles and responsibilities

The Minister for Infrastructure and Transport chairs the IWG.

Departmental roles and responsibilities

The Department provides the secretariat services for the IWG including the preparation of its reporting requirements to SCOTI.

Organisation

Structure

The IWG is supported by a formal governance structure under SCOTI.

Funding - Nil.

Staff

The secretariat is resourced by the Infrastructure Investment Division of the Department.

Members

Position	Member	Appointment Type
Chair		Nominated by jurisdiction - (Commonwealth Minister for Infrastructure and Transport)
Member	Ms Helen Wilson	Nominated by jurisdiction - (Assistant Secretary, Department of the Prime Minister and Cabinet)
Member	Ms Jan Harris	Nominated by jurisdiction - (Executive Director, Treasury)
Member	Ms Lyn O'Connell	Nominated by jurisdiction - (Deputy Secretary, Department of Infrastructure and Transport)
Member	Mr Michael Deegan	Nominated by jurisdiction - (Infrastructure Coordinator)
Member	Mr Tim Spencer	Nominated by jurisdiction - (Deputy Secretary, Treasury - NSW)
Member	Ms Dianne Leeson	Nominated by jurisdiction - (Acting Director-General, Premier and Cabinet - NSW)
Member	Mr David Webster	Nominated by jurisdiction - (Deputy Secretary, Treasury and Finance - Vic)
Member	Mr Jim Betts	Nominated by jurisdiction - (Secretary, Department of Transport, Planning and Local Infrastructure - Vic)
Member	Mr David Edwards	Nominated by jurisdiction - (Director-General, Department of State Development, Infrastructure and Planning - QLD)
Member	Mr Anthony Kannis	Nominated by jurisdiction - (Executive Director, Treasury - WA)
Member	Ms Nicky Cusworth	Nominated by jurisdiction - (Deputy Director-General, Department of State Development - WA)
Member	Mr Jim Hallion	Nominated by jurisdiction - (Chief Executive Officer, Premier and Cabinet - SA)
Member	Mr Mark Elford	Nominated by jurisdiction - (Executive Director, Planning, Transport and Infrastructure - SA)
Member	Mr Julian Robertson	Nominated by jurisdiction - (Director, Treasury and Finance - SA)
Member	Mr David Spence	Nominated by jurisdiction - (General Manager, Infrastructure, Energy and Resources - Tas)
Member	Mr Neil Bulless	Nominated by jurisdiction - (Executive Director, Treasury - ACT)
Member	Mr Hamish McNulty	Nominated by jurisdiction - (Executive Director, Economic Development Directorate - ACT)
Member	Mr Peter Murray	Nominated by jurisdiction - (Acting Executive Director, Shared Services Procurement - ACT)
Member	Mr Alan Wagner	Nominated by jurisdiction - (Chief Executive, Department of Construction and Infrastructure - NT)
Member	Mr Bruce Michael	Nominated by jurisdiction - (Deputy Under-Treasurer, Treasury - NT)
Member	Ms Anne Tan	Nominated by jurisdiction - (Executive Director, Department of the Chief Minister - NT)
Member	Mr Adrian Beresford-Wylie	Nominated by jurisdiction – (Chief Executive Officer, Australian Local Government Association)

Contact***Department***

Ms Jessica Hall

A/g General Manager

Infrastructure Policy Branch

Infrastructure Investment Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 6778

Email: Jessica.Hall@infrastructure.gov.au

Maritime Workforce Development Forum

Annual Report Tabled:	No.
Creation Date:	Approved by Cabinet on 16 August 2011.
Constituted By:	11 members from the maritime industry.
Appointed By:	The Minister for Infrastructure and Transport.
Description:	<p>The Maritime Workforce Development Forum (MWDF) comprises high level representation from across the breadth of the maritime industry and relevant government agencies who are able to:</p> <ul style="list-style-type: none"> • provide the Minister with advice, on request, on key strategic issues affecting workforce development in the maritime industry; • make the strategic and operational links across industry(ies) and government(s) to progress maritime skills issues; and • act to implement requests and directions of the Minister.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status - Nil.

Functions

The MWDF's activities focus on maritime workforce skills planning and development. Key activities are:

- to review relevant maritime skills issues, undertake analysis and provide advice to the Minister;
- where agreed by the Minister, and together with the Department, guide and oversight implementation of the outcomes of the Workforce Skills and Training Reference Group;
- work collaboratively across industry and government to better articulate and explain the critical nature of the maritime skills issues; and
- carry out other activities and matters that may be referred from the Minister.

Governance arrangements

Mandatory reporting

The MWDF reports to the Minister every six months, at a minimum.

Ministerial roles and responsibilities

The Minister appoints MWDF members.

Departmental roles and responsibilities

The secretariat to the MWDF is resourced by the Surface Transport Policy Division.

Organisation

Structure

The MWDF consists of a Chair, Deputy Chair and nine members.

Funding

The Department retains the control of funding and expenditure for the activities of the Forum. The Forum must consult with the Department in making any recommendations to the Minister that will result in costs being incurred.

Staff - Nil.

Members

Position	Member	Appointment Type
Chair	Ms Lynelle Briggs AO	Appointed by the Minister
Deputy Chair	Mr Tony Wilks	Appointed by the Minister - (Tony Wilks and Associates Pty Ltd)
Member	Mr Paddy Crumlin	Appointed by the Minister - (National Secretary, Maritime Union of Australia)
Member	Mr Terry Snee	Appointed by the Minister - (Federal President, Australian Institute of Marine and Power Engineers)
Member	Mr Wayne Moore	Appointed by the Minister - (President, Australian Maritime Officers Union)
Member	Ms Teresa Lloyd	Appointed by the Minister - (Executive Director, Australian Shipowners Association)
Member	Mr David Anderson	Appointed by the Minister - (Chief Executive Officer, Ports Australia)
Member	Dr Daryll Hull	Appointed by the Minister - (Managing Director, Transport and Logistics Council)
Member	Mr Joseph Homsey	Appointed by the Minister - (Managing Director, Farstad Shipping)
Member	Rear Admiral Trevor Jones AM, CSC, RAN	Appointed by the Minister - (Deputy Chief, Royal Australian Navy)
Member	Mr David Parmeter	Appointed by the Minister - (Managing Director, Teekay Shipping, Australia Ltd)

Contact**Department**

Leanne Kennedy
 Director
 Maritime and Shipping Branch
 Surface Transport Policy Division
 GPO Box 594
 CANBERRA ACT 2601
 Ph: (02) 6274 7500
 Email: Leanne.Kennedy@infrastructure.gov.au

Strategic Vehicle Safety and Environment Group

Annual Report Tabled:	No.
Creation Date:	Established as the Technical Liaison Group (TLG) on 7 May 1993. Reconstituted as the Strategic Vehicle Safety and Environment Group on 23 July 2010.
Constituted By:	17 members.
Appointed By:	Executives of state and territory road or transport agencies, automotive industry and user representative bodies.
Description:	<p>The Strategic Vehicle Safety and Environment Group (SVSEG) has two principal roles:</p> <ul style="list-style-type: none"> • to advise the Australian Government on issues relating to the implementation and development of the Australian Design Rules for vehicles; and • to consider regulatory and non-regulatory approaches to improving vehicle safety and environmental performance. <p>The forum supersedes the TLG, although the TLG will continue to operate as a sub-committee of SVSEG, comprising members of the Australian Motor Vehicle Certification Board and industry and community representatives.</p>
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status - Nil.

Functions

SVSEG is the key consultative forum for the development and amendment of National Standards determined under section 7 of the *Motor Vehicle Standards Act 1989* and also provides a forum for considering approaches to improving vehicle safety and environmental performance.

Governance arrangements

Mandatory reporting - Nil.

Ministerial roles and responsibilities - Nil.

Departmental roles and responsibilities

The Department provides secretariat support and the Group is chaired by a departmental representative.

Organisation

Structure

The structure includes the TLG sub-committee and its associated single issue working groups, which provide technical advice on the Australian Design Rules.

Funding

The Department provides funding for the secretariat services.

Staff - Nil.

Members

Position	Member	Appointment Type
Chair	Mr Robert Hogan	Ex officio - Respective Executive Officers - (Australian Government)
Member	Mr Craig Newland	Ex officio - Respective Executive Officers - (Australian Automobile Association)
Member	Mr Rod Paule	Ex officio - Respective Executive Officers - (ACT)
Member	Mr Mario Colossimo	Ex officio - Respective Executive Officers - (Australian Road Transport Suppliers Association)
Member	Mr David Coonan	Ex officio - Respective Executive Officers - (Australia Trucking Association)
Member	Mr Luke Hardy	Ex officio - Respective Executive Officers - (Bus Industry Confederation)
Member	Mr Brett Wright	Ex officio - Respective Executive Officers - (Commercial Vehicle Industry Association of Australia)
Member	Mr James Hurnall	Ex officio - Respective Executive Officers - (Federal Chamber of Automotive Industries)
Member	Mr Jeff Porter	Ex officio - Respective Executive Officers - (National Transport Commission)
Member	Mr Daniel Elkins	Ex officio - Respective Executive Officers - (National Heavy Vehicle Regulator)
Member	Mr Keith Simmons	Ex officio - Respective Executive Officers - (NSW)
Member	Mr Dan Leavy	Ex officio - Respective Executive Officers - (NSW)
Member	Ms Margaret Prendergast	Ex officio - Respective Executive Officers - (NSW)
Member	Mr Ian Baggot	Ex officio - Respective Executive Officers - (NZ)
Member	Mr Paul Rajan	Ex officio - Respective Executive Officers - (NT)
Member	Mr Bruce Ollason	Ex officio - Respective Executive Officers - (Qld)
Member	Ms Judith E Lloyd	Ex officio - Respective Executive Officers - (Qld)
Member	Mr Angus Draheim	Ex officio - Respective Executive Officers - (Qld)
Member	Mr John Cartwright	Ex officio - Respective Executive Officers - (SA)
Member	Mr Danny Johnson	Ex officio - Respective Executive Officers - (Tas)
Member	Mr Simon Humphries	Ex officio - Respective Executive Officers - (Truck Industry Council)
Member	Mr David Shelton	Ex officio - Respective Executive Officers - (Vic)
Member	Mr James Holgate	Ex officio - Respective Executive Officers - (Vic)
Member	Mr Jon Gibson	Ex officio - Respective Executive Officers - (WA)
Member	Mr Iain Cameron	Ex officio - Respective Executive Officers - (WA)

Contact***Department***

Mr Robert Hogan

General Manager

Vehicle Safety Standards Branch

Surface Transport Policy Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 7266

Email: Robert.Hogan@infrastructure.gov.au

Sydney Airport Community Forum

Annual Report Tabled:	No.
Creation Date:	July 1996.
Constituted By:	25 members.
Appointed By:	The Minister for Infrastructure and Transport appoints the Chair. The Minister, in consultation with the Chair, determines membership of the Sydney Airport Community Forum (SACF).
Web Site:	www.sacf.infrastructure.gov.au/
Description:	The SACF advises the Government on noise abatement and related environment issues, providing an important voice for the communities around Sydney Airport. The SACF also allows the community to engage directly with the operators of Sydney Airport as well as Airservices Australia on the Airport's noise sharing plan.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

The Australian Government established the SACF in July 1996 as part of its commitment to addressing the noise impacts from Sydney Airport in consultation with affected residents. The membership of the SACF was reconstituted in November 2007.

Functions

The role of the SACF is to act as a forum for:

- providing advice to the Minister for Infrastructure and Transport, Sydney Airport Corporation and aviation authorities on the abatement of aircraft noise and related environmental issues at Sydney Airport;
- consultation on the Long Term Operating Plan for the Airport; and
- providing advice to aviation authorities to facilitate improved consultation and information flows to the community about the Airport's operations.

Governance arrangements

Mandatory reporting - Nil.

Ministerial roles and responsibilities

The Minister appoints the Chair. The Minister, in consultation with the Chair, determines membership of the SACF. The SACF has a broad representation of all areas affected by airport operations.

Departmental roles and responsibilities

The Department provides secretariat support services.

Organisation

Funding - Nil.

Staff - Nil.

Members

Position	Member	Appointment Type
Chair	Mr Peter Fitzgerald	Appointed by the Minister
Member	Ms Maria Patrinos	Appointed by the Minister in conjunction with the Chair - (Community Representative - West)
Member	Mr Kevin Hill	Appointed by the Minister in conjunction with the Chair - (Community Representative - South)
Member	The Hon John Murphy MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Reid)
Member	The Hon Tanya Plibersek MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Sydney)
Member	The Hon Peter Garrett MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Kingsford-Smith)
Member	The Hon Tony Burke MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Watson)
Member	The Hon Robert McClelland MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Barton)
Member	The Hon Joe Hockey MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for North Sydney)
Member	Mr John Alexander MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Bennelong)
Member	Mr Paul Fletcher	Appointed by the Minister in conjunction with the Chair - (Federal Member for Bradfield)
Member	The Hon Malcolm Turnbull MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Wentworth)
Member	Mr Warren Bennett	Appointed by the Minister in conjunction with the Chair - (Board of Airline Representative of Australia Inc.)
Member	Mr Scott Morrison MP	Appointed by the Minister in conjunction with the Chair - (Federal Member for Cook)
Member	Mr Ron Hoenig MP	Appointed by the Minister in conjunction with the Chair - (State Member for Heffron)
Member	The Hon Carmel Tebbutt MP	Appointed by the Minister in conjunction with the Chair - (State Member for Marrickville)
Member	Mr John Flowers MP	Appointed by the Minister in conjunction with the Chair - (State Member for Rockdale)
Member	Mr Alex Greenwich	Appointed by the Minister in conjunction with the Chair - (State Member for Sydney, Lord Mayor of Sydney)
Member	Cr Victor Macri	Appointed by the Minister in conjunction with the Chair - (Mayor of Marrickville)
Member	Cr Morris Mansour	Appointed by the Minister in conjunction with the Chair - (Mayor of Ashfield)
Member	Cr Brian Robson	Appointed by the Minister in conjunction with the Chair - (Mayor of Canterbury)
Member	Cr Ben Kenneally	Appointed by the Minister in conjunction with the Chair - (Mayor of Botany Bay)
Member	Cr Darcy Byrne	Appointed by the Minister in conjunction with the Chair - (Mayor of Leichhardt)
Member	Cr Kent Johns	Appointed by the Minister in conjunction with the Chair - (Mayor of Sutherland Shire)
Member	Ms Kerrie Mather	Appointed by the Minister in conjunction with the Chair - (Chief Executive Officer Sydney Airport Corporation Ltd)
Member	Captain Rob Edney	Appointed by the Minister in conjunction with the Chair - (Virgin Australia)

Contact***Department***

Mr John Collis

Aviation Environment Branch

Aviation and Airports Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 7892

Email: John.Collis@infrastructure.gov.au

Technical Liaison Group

Annual Report Tabled:	No.
Creation Date:	Established on 7 May 1993. Reconstituted under the Strategic Vehicle Safety and Environment Group (SVSEG) on 23 July 2010.
Constituted By:	34 members.
Appointed By:	Senior officers of state and territory representative bodies.
Description:	<p>The Technical Liaison Group (TLG) has two principal roles:</p> <ul style="list-style-type: none"> • to advise SVSEG on detailed technical issues relating to the implementation and development of the Australian Design Rules for vehicles; and • to advise SVSEG on detailed technical issues relating to regulatory and non-regulatory approaches to improving vehicle safety and environmental performance. <p>The state and territory road or transport agency members are in common with the Australian Motor Vehicle Certification Board members.</p>
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status - Nil.

Functions

The TLG operates as a sub-committee of SVSEG and considers detailed technical issues in relation to SVSEG activities.

Governance arrangements

Mandatory reporting - Nil.

Ministerial roles and responsibilities - Nil.

Departmental roles and responsibilities

The Department provides secretariat support and the Group is chaired by a departmental representative.

Organisation

Structure

The structure includes associated single issue working groups which provide technical advice on the Australian Design Rules.

Funding

The Department provides funding for the secretariat services.

Staff - Nil.

Members

Position	Member	Appointment Type
Chair	Mr Robert Hogan	Appointed by respective Senior Officers - (Australian Government)
Member	Mr Peter Hunter	Appointed by respective Senior Officers - (ACT)
Member	Mr Rod Paule	Appointed by respective Senior Officers - (ACT)
Member	Mr Julian Del Beato	Appointed by respective Senior Officers - (National Transport Council)
Member	Mr Dan Leavy	Appointed by respective Senior Officers - (NSW)
Member	Mr Greg Dickranian	Appointed by respective Senior Officers - (NSW)
Member	Mr Bruce Campbell	Appointed by respective Senior Officers - (Australian Trucking Association)
Member	Mr Davey Uprichard	Appointed by respective Senior Officers - (NZ)
Member	Mr Bill Muirhead	Appointed by respective Senior Officers - (NT)
Member	Mr Anant Bellary	Appointed by respective Senior Officers - (Qld)
Member	Mr Rickman Smith	Appointed by respective Senior Officers - (SA)
Member	Mr Lesley Emmett	Appointed by respective Senior Officers - (SA)
Member	Mr Jeremy Gleeson	Appointed by respective Senior Officers - (Tas)
Member	Mr John Marcolina	Appointed by respective Senior Officers - (WA)
Member	Mr Arush Ziapur	Appointed by respective Senior Officers - (WA)
Member	Mr Barry Hendry	Appointed by respective Senior Officers - (Vic)
Member	Mr Ross McArthur	Appointed by respective Senior Officers - (Vic)
Member	Mr Craig Newland	Appointed by respective Senior Officers - (Australian Automobile Association)
Member	Mr Stuart Charity	Appointed by respective Senior Officers - (Australian Automotive Aftermarket Association)
Member	Mr James Hurnall	Appointed by respective Senior Officers - (Federal Chamber of Automotive Industries)
Member	Mr Mike Hammer	Appointed by respective Senior Officers - (Federal Chamber of Automotive Industries)
Member	Mr Bill Bridges	Appointed by respective Senior Officers - (Federal Chamber of Automotive Industries)
Member	Mr Ashley Sanders	Appointed by respective Senior Officers - (Federal Chamber of Automotive Industries)
Member	Ms Jodie Broadbent	Appointed by respective Senior Officers - (Australian Trucking Association)
Member	Ms Keith Mackinlay	Appointed by respective Senior Officers - (Australian Trucking Association)
Member	Mr Bob Woodward	Appointed by respective Senior Officers - (Australian Trucking Association)
Member	Mr John Samson	Appointed by respective Senior Officers - (Commercial Vehicle Industry Association of Queensland)
Member	Mr Luke Hardy	Appointed by respective Senior Officers - (Bus Industry Council)
Member	Mr Mario Collosimo	Appointed by respective Senior Officers - (Australian Road Transport Suppliers Association)
Member	Mr Peter Hart	Appointed by respective Senior Officers - (Australian Road Transport Suppliers Association)
Member	Mr Simon Humphries	Appointed by respective Senior Officers - (Truck Industry Council)
Member	Mr Stuart Strickland	Appointed by respective Senior Officers - (Australian Motorcycle Council)
Member	Mr Peter Dunphy	Appointed by respective Senior Officers - (Victorian Automobile Chamber of Commerce)
Member	Mr Lorrie Hemming	Appointed by respective Senior Officers - (Australian Motorcycle Council)

Contact***Department***

Mr Robert Hogan

General Manager

Vehicle Safety Standards Branch

Surface Transport Policy Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 7266

Email: robert.hogan@infrastructure.gov.au

Urban Policy Forum

Annual Report Tabled:	No.
Creation Date:	20 January 2012.
Constituted By:	25 Members.
Appointed By:	The Minister for Infrastructure and Transport.
Description:	The Urban Policy Forum (UPF) is an advisory body that has been established by the Australian Government to help achieve more productive, sustainable and liveable cities in Australia.
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status

The UPF is a non-statutory body that has been established to advise on the implementation of the National Urban Policy.

Functions

The functions of the UPF are to:

- advise the Commonwealth and the Minister on the implementation of the National Urban Policy;
- identify innovative approaches to achieving the goals and objectives of the National Urban Policy;
- facilitate cross-sector consultation, collaboration and partnerships to support successful implementation of initiatives in the National Urban Policy; and
- serve as a stakeholder forum to effectively support and complement other government work requiring a coherent and integrated approach within cities.

Governance arrangements

Mandatory reporting - Nil.

Ministerial roles and responsibilities

The UPF members are appointed following invitation from the Minister for Infrastructure and Transport. Membership will be reviewed every two years.

Departmental roles and responsibilities

The Secretary of the Department of Infrastructure and Transport Chairs the UPF. The Chair is responsible for providing regular advice to the Minister for Infrastructure and Transport and to the Commonwealth Group on Cities about the outcomes of the meetings and actions of the UPF.

Organisation

Structure

The UPF has 25 members including the Chair. The membership includes representatives of key government advisory bodies, industry and community organisations. The UPF will meet twice yearly or more often as required and agreed by members.

Funding

The Department funds the UPF.

Staff

The secretariat functions for the UPF are provided by the Major Cities Unit within the Department.

Members

Position	Member	Appointment Type
Chair	Mr Mike Mrdak	Appointed by the Minister – (Secretary, Department of Infrastructure and Transport)
Member	Cr Felicity-Ann Lewis	Appointed by the Minister – (President, Australian Local Government Association)
Member	Lord Mayor Graham Quirk	Appointed by the Minister – (Lord Mayor of Brisbane)
Member	Lord Mayor Clover Moore	Appointed by the Minister – (The Right Hon Lord Mayor of Sydney)
Member	Cr Paul Pisasale	Appointed by the Minister – (Mayor Ipswich City Council and Chair, National Growth Areas Alliance)
Member	Prof Brian Howe AO	Appointed by the Minister – (Chair, COAG Cities Expert Panel)
Member	Dr Owen Donald	Appointed by the Minister – (Chair, National Housing Supply Council_)
Member	Ms Sue Holliday	Appointed by the Minister – (Chair, Built Environment Industry Innovation Council)
Member	Mr John Thwaites	Appointed by the Minister – (Chair, Australian Building Codes Board)
Member	Mr Bob Nanva	Appointed by the Minister – (National Secretary, Rail, Tram and Bus Union)
Member	Dr Lyn Roberts AM	Appointed by the Minister – (CEO, National Heart Foundation)
Member	Mr Peter Verwer	Appointed by the Minister – (CEO, Property Council of Australia)
Member	Ms Romily Madew	Appointed by the Minister – (Chair, Cities Task Group, Australian Sustainable Built Environment Council)
Member	Ms Megan Motto	Appointed by the Minister – (CEO, Consult Australia)
Member	Mr Brendon Lyon	Appointed by the Minister – (CEO, Infrastructure Partnerships Australia)
Member	Mr Ken Morrison	Appointed by the Minister – (CEO, Tourism and Transport Forum)
Member	Ms Maria Tarrant	Appointed by the Minister – (Deputy CEO, Business Council of Australia)
Member	Ms Kirsty Kelly	Appointed by the Minister – (CEO, Planning Institute of Australia)
Member	Mr David Parken	Appointed by the Minister – (CEO, Australian Institute of Architects)
Member	Mr Stephen Hodge	Appointed by the Minister – (Government Relations Officer, Cycling Promotion Fund)
Member	Dr Cassandra Goldie	Appointed by the Minister – (CEO, Australian Council of Social Services)
Member	Mr Adrian Pisarski	Appointed by the Minister – (Chairperson, National Shelter)
Member	Mr Robert Morris-Nunn	Appointed by the Minister – (Adjunct Professor, School of Architecture, University of Tasmania)

Member	Mr Stephen Alchin	Appointed by the Minister – (Executive Director, Planning, Infrastructure Australia)
Member	Mr Richard Lindsay	Appointed by the Minister – (CEO, Urban Development Institute of Australia)

Contact

Department

Julian Breheny
Major Cities Unit
Policy and Research Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 6956
Email: Julian.Breheny@infrastructure.gov.au

Infrastructure Australia

Annual Report Tabled:	Yes.
Creation Date:	9 April 2008.
Constituted By:	12 members.
Appointed by:	The Minister for Infrastructure and Transport.
Web Site:	www.infrastructureaustralia.gov.au
Description:	Infrastructure Australia (IA) advises the Minister on the creation and development of a strategic blueprint to meet Australia's infrastructure needs. The proposed blueprint will involve partnerships with the states, territories, local governments and the private sector. IA is supported by an Infrastructure Coordinator whose primary role is to assist IA in the performance of its functions.
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

IA is a statutory advisory body established under the *Infrastructure Australia Act 2008*.

Functions

IA has the primary function of providing advice to the Minister, Commonwealth, state, territory and local governments, investors in infrastructure and owners of infrastructure on matters relating to infrastructure, including in relation to the following:

- Australia's current and future needs and priorities relating to nationally significant infrastructure;
- policy, pricing and regulatory issues that may impact on the utilisation of infrastructure;
- impediments to the efficient utilisation of national infrastructure networks;
- options and reforms, including regulatory reforms, to make the utilisation of national infrastructure networks more efficient;
- the needs of users of infrastructure; and
- mechanisms for financing investment in infrastructure.

IA has the following additional functions:

- to conduct audits to determine the adequacy, capacity and condition of nationally significant infrastructure, taking into account forecast growth;
- to develop lists (to be known as Infrastructure Priority Lists) that prioritise Australia's infrastructure needs;
- to review and provide advice on proposals to facilitate the harmonisation of policies, and laws, relating to development of, and investment in, infrastructure;
- to evaluate proposals for investment in, or enhancements to, nationally significant infrastructure;
- to identify any impediments to investment in nationally significant infrastructure and identify strategies to remove any impediments identified;
- to promote investment in infrastructure;

- to provide advice on infrastructure policy issues arising from climate change;
- to review Commonwealth infrastructure funding programs to ensure they align with any Infrastructure Priority Lists; and
- to undertake or commission research relating to IA's other functions.

Governance arrangements

IA is responsible for conducting an Infrastructure Audit and developing Infrastructure Priority Lists. IA reports directly to the Minister. IA has 12 members appointed by the Minister.

Mandatory reporting

IA is required to prepare and give to the Minister, for presentation to Parliament, a report on IA's operations during that year. Annual financial reporting overseen by the Infrastructure Coordinator in relation to IA will be consolidated within the annual financial statements of the Department.

Ministerial roles and responsibilities

The Minister may give written directions of a general nature, to IA, about the performance of its functions. In giving directions the Minister may have regard to any decisions by the Council of Australian Governments. The Minister may also appoint acting members during absence of a member or should a vacancy arise.

Departmental roles and responsibilities

The Infrastructure Investment Division provides policy advice to the Minister on aspects of IA's operations.

Organisation

Funding

\$36 million over four years from Financial Year 2011-12 has been appropriated to the Department to fund the operations of IA.

Staff

Office of the Infrastructure Coordinator.

Members

Position	Member	Appointment Type
Chair	Sir Rod Eddington	Appointed by the Minister
Member	Dr Ian Watt AO	Appointed by the Minister
Member	Dr Martin Parkinson	Appointed by the Minister
Member	Mr Jim Hallion	Appointed by the Minister
Member	Dr Kerry Schott	Appointed by the Minister
Member	Mr Anthony Kannis	Appointed by the Minister
Member	The Hon Mark Birrell	Appointed by the Minister
Member	Prof Peter Newman	Appointed by the Minister
Member	Mr Phil Hennessy	Appointed by the Minister
Member	Cr Nicole Lockwood	Appointed by the Minister
Member	Ms Elana Rubin	Appointed by the Minister
Member	Vacant	Appointed by the Minister

Contact***Infrastructure Australia***

Mr Michael Deegan

Infrastructure Coordinator

Level 21, 126 Phillip Street

SYDNEY NSW 2000

Ph: (02) 8114 1900

Email:

Michael.Deegan@infrastructure.gov.au

Department

Ms Jessica Hall

A/g General Manager

Infrastructure Policy Branch

Infrastructure Investment Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 6778

Email: Jessica.Hall@infrastructure.gov.au

International Air Services Commission

Annual Report Tabled:	Yes.
Creation Date:	1 July 1992.
Constituted By:	Three members.
Appointed By:	Governor-General.
ABN:	86 267 354 017
Web Site:	www.iasc.gov.au
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

The International Air Services Commission (IASC) is an independent statutory authority established under the *International Air Services Commission Act 1992* (the IASC Act).

Functions

The objective of the IASC Act is to enhance the welfare of Australians by promoting economic efficiency through competition in the provision of international air services, resulting in:

- increased responsiveness by airlines to the needs of consumers, including an increased range of choices and benefits;
- growth in Australian tourism and trade; and
- the maintenance of Australian carriers capable of competing effectively with the airlines of foreign countries.

IASC's principal function is to make determinations allocating available capacity on a route to one or more carriers, including setting conditions for the use of this capacity. IASC also conducts reviews of these determinations, as well as providing advice to the Minister about any matter referred to it by the Minister concerning international air operations.

Governance arrangements

IASC:

- operates in accordance with the IASC Act and a policy statement provided by the Minister;
- makes determinations under the IASC Act; and
- maintains minutes of all meetings in accordance with the requirements of the IASC Act.

The members of the IASC are appointed by the Governor-General for a period not exceeding five years. Appointments are recommended by the Minister and approved by Cabinet. IASC meets on an as required basis, generally averaging about one meeting per month. The Department provides secretariat services to IASC.

Mandatory reporting

Under the IASC Act the Commission is required to prepare an Annual Report for submission to the Minister.

The Minister must table the report in Parliament.

Ministerial roles and responsibilities

The policy statement provided to the Commission sets out the Minister's requirements about the way in which the Commission is to perform its functions under the IASC Act. The policy statement is a disallowable instrument under the IASC Act. The Minister has no direct role in IASC's decision making in particular cases.

Departmental roles and responsibilities

The Department is responsible for negotiating Australia's air services arrangements on behalf of the Australian Government. The Department is also responsible for maintaining a Register of Available Capacity for use by IASC and applicants.

The Register details the capacity available under each air services arrangement and is updated to reflect changes in capacity entitlements arising from new negotiations and determinations made by the IASC. Based on IASC's determinations, the Department is also responsible for making operational decisions that authorise carriers to fly on each route.

Organisation

Funding

The IASC is funded from the Department's Budget as part of the funding provided to the Aviation and Airports Division.

Staff

The secretariat comprises three staff.

Members

Position	Member	Appointment Type
Chairperson	Dr Jill Walker	Appointed by the Governor-General
Member	Mr John King	Appointed by the Governor-General
Member	Dr Ian Douglas	Appointed by the Governor-General

Contacts

IASC

62 Northbourne Avenue
CANBERRA ACT 2601
Ph: (02) 6267 1100
Email: iasc@infrastructure.gov.au

Department

Ms Marlene Tucker
A/g Executive Director of IASC
Aviation and Airports Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 1107
Email: Marlene.Tucker@infrastructure.gov.au

Motor Vehicle Standards Review Panel

Annual Report Tabled:	No.
Creation Date:	1 April 2002.
Constituted By:	A minimum of five members.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status

The Motor Vehicle Standards Review Panel (MVSRP) is established under regulation 30 of the Motor Vehicle Standards Regulations 1989.

Functions

The function of MVSRP is to receive and consider applications for reviews of ministerial decisions to refuse to enter a road vehicle on the Register of Specialist and Enthusiast Vehicles. MVSRP then makes recommendations to the Minister about the application.

Governance arrangements

MVSRP operates in accordance with the Motor Vehicle Standards Regulations 1989. The members of MVSRP represent the various stakeholders about decisions on vehicle safety and emission standards.

A member who has a pecuniary interest in a matter being considered by the MVSRP must disclose the nature of the interest to MVSRP. The disclosure is to be recorded in the minutes of the meeting. MVSRP may consider whether the member takes part in any deliberation of MVSRP about the matter.

MVSRP meets on an as required basis, generally averaging two meetings per year. The Department provides secretariat services.

Mandatory reporting - Nil.

Ministerial roles and responsibilities

The Minister has no direct role in the decision making of the MVSRP.

Departmental roles and responsibilities

MVSRP is chaired by a departmental representative.

Organisation

Structure

Membership consists of the Administrator of Vehicle Standards (Chair, representing the Department); a person nominated by the Department of Innovation, Industry, Climate Change, Science, Research and Tertiary Education; a person nominated by the Federal Chamber of Automotive Industries; a person nominated by the Australian Automobile Association; and at least one person nominated by industry associations determined by the Minister being associations whose members are registered automotive workshops. Members hold office for a term of two years and cannot hold office for more than three consecutive terms.

Funding

MVSRP is funded from the budget of the Department as part of the funding provided to the Surface Transport Policy Division.

Members

Position	Member	Appointment Type
Chair	Mr Robert Hogan	Ex officio - (Department of Infrastructure and Transport)
Member	Mr Richard Cavanagh	Ex officio - (Department of Industry, Innovation, Climate Change, Science, Research and Tertiary Education)
Member	Mr James Hurnall	Ex officio - (Federal Chamber of Automotive Industries)
Member	Mr Craig Newland	Ex officio - (Australian Automobile Association)
Member	Mr Bruce Gearing	Ex officio - (RAWS Association)
Member	Mr William Hill	Ex officio - (Australian Auto Importers and Manufacturers Association)

Contact**Department**

Mr Robert Hogan
General Manager
Vehicle Safety Standards Branch
Surface Transport Policy Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7266
Email: Robert.Hogan@infrastructure.gov.au

Australian Transport Safety Bureau

Annual Report Tabled:	Yes, from 1 July 2009.
Creation Date:	The Australian Transport Safety Bureau (ATSB) was formed on 1 July 1999. From 1 July 2009, ATSB became an independent statutory authority.
Constituted By:	A full-time Chief Commissioner and at least two part-time Commissioners.
Appointed By:	The Minister for Infrastructure and Transport.
Web Site:	www.atsb.gov.au
Description:	The ATSB contributes to transport safety by independently investigating, analysing and openly reporting on transport safety matters.
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

ATSB was established on 1 July 2009 as an independent statutory authority following an amendment made to the *Transport Safety Investigation Act 2003* (the TSI Act).

Functions

The work of ATSB is spread across the aviation, marine and rail modes of transport.

ATSB's function is to improve transport safety by various means including:

- receiving and assessing reports of transport safety matters, reportable matters, and other safety information;
- independently investigating transport accidents, incidents and other safety matters;
- identifying factors that contribute, or have contributed, to transport safety matters; or affect, or might affect, transport safety;
- communicating those factors to relevant sectors of the transport industry and the public in any way, including by making safety action statements; by making safety recommendations; or by issuing safety advisory notices;
- reporting publicly on those investigations;
- conducting public educational programs about matters relating to transport safety; and
- any other means prescribed by the regulations.

ATSB cooperates with relevant persons and agencies in the Commonwealth, state and territory governments with transport safety or affected functions, including police and coroners' services.

The implementation of ATSB's expanded national role in rail transport safety, as agreed in August 2011 under the Intergovernmental Agreement on Rail Regulation and Investigation Reform, began operation in January 2013. ATSB, as Australia's national safety investigator, assumed primary responsibility for rail investigations across Australia as part of a broader national transport reform process.

It also cooperates with other countries' national authorities or other bodies that have functions or powers relating to transport safety or functions akin to or affected by ATSB's work.

Governance arrangements

Mandatory reporting

ATSB is required:

- to publish a report in relation to an investigation conducted under section 25 of the TSI Act; and
- to prepare an Annual Report, including financial statements and an audit report under section 63A of the TSI Act, and sections 49 and 57 of the *Financial Management and Accountability Act 1997*, which is submitted by the Commission to the Minister. The report is tabled in Parliament.

Ministerial roles and responsibilities

ATSB must investigate a transport safety matter when directed in writing by the Minister to do so under section 21 of the TSI Act.

Departmental roles and responsibilities

The Department has a coordination role in advising portfolio agencies, including ATSB, of government policy, administrative arrangements and Budget matters. The Department works with ATSB on certain aviation safety policy matters and advises the Minister on the strategic directions of ATSB, including preparation of the Minister's Statement of Expectations.

Organisation

Structure

The Chief Commissioner is the head of ATSB. Two part-time Commissioners assist the Chief Commissioner in the leadership of the organisation. Additional Commissioners may be appointed as necessary for major investigations or where a particular skill or expertise is required.

Funding

The 2013-14 Portfolio Budget Statements lists total net resources of \$31.92 million for ATSB.

Staff

The staff of ATSB are employed under the *Public Service Act 1999*. As at 30 June 2013 the average staffing level was 116. While the majority of staff work in the Canberra office, ATSB also has offices in Adelaide, Brisbane and Perth.

Members

Position	Member	Appointment Type
Chief Commissioner	Mr Martin Dolan	Appointed by the Minister
Commissioner	Mr Noel Hart	Appointed by the Minister
Commissioner	Ms Carolyn Walsh	Appointed by the Minister

Contacts**ATSB**

Chief Commissioner
Australian Transport Safety Bureau
PO Box 967
Civic Square ACT 2608
Ph: (02) 6257 4150
Email: atsbinfo@atsb.gov.au

Department

Mr Jim Wolfe
General Manager
Air Traffic Policy Branch
Aviation and Airports Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7611
Email: Jim.Wolfe@infrastructure.gov.au

Airservices Australia

Annual Report Tabled:	Yes.
Creation Date:	July 1995.
Constituted By:	The Chief Executive Officer (ex officio) and eight part-time members.
Appointed By:	The Minister for Infrastructure and Transport.
ABN:	59 698 720 886
Web Site:	www.airservicesaustralia.com
Description:	The functions include air traffic control; aeronautical information services; aviation rescue and fire fighting; navigation and communication services.
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

Airservices Australia (Airservices) is a statutory authority established under the *Air Services Act 1995* (Air Services Act). It has independent corporate legal status, although wholly owned by the Commonwealth. Reporting and accountability requirements are prescribed by the *Commonwealth Authorities and Companies Act 1997* (CAC Act), the Air Services Act and specific governance arrangements.

Functions

The functions of Airservices include:

- providing services which include air traffic; aeronautical information; aviation rescue and fire fighting; aeronautical radio navigation and aeronautical telecommunications and facilities:
 - for the purpose of Australia or another country giving effect to the Chicago Convention; or
 - for the purpose of Australia or another country giving effect to another international agreement relating to the safety, regulatory or efficiency of air navigation; or
 - otherwise for purposes relating to the safety, regulatory or efficiency of air navigation, whether in or outside Australia;
- promoting and fostering civil aviation, in or outside Australia;
- cooperating with the Australian Transport Safety Bureau in relation to the investigation of aircraft accidents and incidents;
- carrying out activities to protect the environment from the effects of, and the effects associated with, the operation of:
 - Commonwealth jurisdiction aircraft, in or outside Australia; or
 - other aircraft outside Australia; and
- providing consultancy and management services relating to its function.

Airservices may provide its services and facilities both within and outside Australian territory, but must give priority to providing services and facilities in relation to air navigation within Australian administered airspace.

Governance arrangements

The Airservices Board:

- is responsible for determining strategy and policy in consultation with the Minister;
- ensures that Airservices' functions are performed in a proper, efficient and effective manner;
- reports directly to the Minister;
- in consultation with the Minister, appoints the Chief Executive Officer (CEO), who is then responsible for the day to day management of Airservices;
- determines the remuneration of the CEO; and
- comprises nine members, all of whom, except for the CEO, are appointed by the Minister on the basis of Cabinet approval. A quorum for a meeting is five members.

Mandatory reporting

Airservices is required:

- under the CAC Act, to produce an Annual Report which is submitted by the Board to the Minister. The report is tabled in Parliament; and
- under the Air Services Act, to prepare a Corporate Plan for the Minister's approval and subsequent tabling in Parliament.

Ministerial roles and responsibilities

The Minister:

- may provide Airservices with strategic guidance and written directions relating to the performance of its functions or the exercise of its powers;
- may direct Airservices to vary its Corporate Plan in relation to financial targets and performance indicators relating to the provision of services and facilities;
- approves or varies the payment of dividends by Airservices to the Commonwealth; and
- determines in writing the capital repayable by Airservices to the Commonwealth.

Departmental roles and responsibilities

The Air Traffic Policy Branch, Aviation and Airports Division, provides policy advice to the Minister on all aspects of Airservices' operations.

The Department has a coordination role in relation to advising portfolio agencies, including Airservices, of government policy, administrative arrangements and financial and taxation matters. The Department may call on assistance from portfolio agencies, including Airservices, in the preparation of replies to ministerial correspondence, submissions to Senate Committees and Budget and other parliamentary inquiries. The Department also has a role in advising the Minister on strategic planning in portfolio agencies.

Organisation

Structure

The organisational structure includes nine business groups, all of which report directly to the CEO.

These are:

Air Traffic Control; Aviation Rescue and Fire Fighting; Projects and Engineering; Corporate and Industry; Safety and Assurance; Finance and Corporate; Environment, People and Culture and Future Service Delivery. The head office of Airservices is in Canberra and there are offices in all the main capital cities.

Funding

Airservices is funded by charges to industry.

Staff

Airservices Australia had 4204 staff, as at 30 June 2013.

Members

Position	Member	Appointment Type
Chair	Air Chief Marshal Angus Houston, AC, AFC (Ret'd)	Appointed by the Minister
Deputy Chair	Dr Warren Mundy	Appointed by the Minister
Member	Ms Fiona Balfour	Appointed by the Minister
Member	Ms Samantha Betzien	Appointed by the Minister
Member	Ms Annette Kimmitt	Appointed by the Minister
Member	Mr Paul Lucas	Appointed by the Minister
Member	Mr Tony Mathews	Appointed by the Minister
Member	Mr David Burden	Appointed by the Minister
CEO	Air Vice-Marshal Margaret Staib AM, CSC	Ex officio - Appointed by the Airservices Australia Board

Contacts

Airservices Australia

Mr Unni Menon
General Manager
Corporate and International Affairs
Alan Woods Building
25 Constitution Avenue
CANBERRA ACT 2601
Ph: (02) 6268 4111
Email:
Unni.Menon@airservicesaustralia.com

Department

Mr Jim Wolfe
General Manager
Air Traffic Policy Branch
Aviation and Airports Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7611
Email: Jim.Wolfe@infrastructure.gov.au

Australian Maritime Safety Authority

Annual Report Tabled:	Yes.
Creation Date:	1 January 1991.
Constituted By:	Up to nine members.
Appointed By:	The Minister for Infrastructure and Transport.
ABN:	65 377 938 320
Web Site:	www.amsa.gov.au
Description:	Functions include provision of maritime safety and other services to the Australian maritime industry, aviation and maritime search and rescue and marine environment protection services.
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

The Australian Maritime Safety Authority (AMSA) is a statutory authority established under the *Australian Maritime Safety Authority Act 1990* (AMSA Act).

AMSA is governed by the *Commonwealth Authorities and Companies Act 1997* (CAC Act).

Functions

AMSA:

- is the national maritime safety agency with a primary role in maritime safety, protection of the marine environment and aviation and maritime search and rescue operations;
- is responsible on behalf of the Australian Government for enforcing operational standards for ships in Australian waters to promote seaworthiness, safety and pollution prevention;
- participates in the development and implementation of national and international maritime safety and environmental protection standards;
- develops maritime safety standards for domestic commercial vessels Australia-wide (commercial fishing boats, hire and drive/charter, ferry, port tugs and utility vessels) and monitors and enforces compliance with these standards;
- provides the national network of aids to navigation;
- coordinates search and rescue operations for the maritime and aviation sectors in Australia's internationally agreed search and rescue region;
- manages the national plan for responding to marine pollution incidents of oil and other hazardous and noxious substances (the National Plan for Maritime Environmental Emergencies);
- provides a level of emergency response capability consistent with international and regional obligations and a national decision making capacity for maritime emergencies;
- administers Australia's ship registration system;
- enforces training standards and competency of seafarers and coastal pilots; and
- provides vessel-tracking services.

Governance arrangements

The Board of AMSA determines the strategic direction of the organisation, takes responsibility for AMSA's resources and executes good governance. The Board currently consists of nine members, including two

ex officio members being the Chief Executive Officer (CEO) and the Deputy Secretary responsible for transport security and aviation in the Department.

Domestic Commercial Vessels

Under a recently implemented Council of Australian Governments' reform, the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* established AMSA as the national safety regulator for domestic commercial vessels. From 1 July 2013, AMSA assumed responsibility for regulating about 40,000 domestic commercial vessels and 100,000 seafarers previously regulated by state and territory authorities.

The national system ensures that national standards are implemented and interpreted consistently by a single regulator in the areas of:

- design and construction of commercial vessels;
- on-board safety equipment requirements;
- commercial vessel operational safety management; and
- seafarer near coastal qualifications across Australia.

The agreed responsibilities, service delivery and funding arrangements for the National System are set out in the Intergovernmental Agreement (IGA) on Commercial Vessel Safety Reform. The states and territory maritime authorities act as AMSA's delegates in delivering regulatory services to industry.

The IGA sets out how the cooperative arrangement established under the reform is to operate. It includes a requirement that all new and amended domestic commercial vessel standards as well as amendments to the National Law are agreed unanimously. It also requires close and on-going cooperation between AMSA and all states and the Northern Territory in the operation of the national system.

Mandatory reporting

Under the CAC Act the Board is required to submit an Annual Report to the Minister which is required to be tabled in Parliament. Under the AMSA Act, the Board is required to prepare a Corporate Plan at least once a year and submit it to the Minister. The Minister must respond to the Corporate Plan within 60 days of receipt. The Minister may direct the Board to make a variation to the plan.

Ministerial roles and responsibilities

The Minister represents the Australian Government's interests in AMSA. Under the AMSA Act, the Minister has the power to:

- give written directions on AMSA's performance of its functions;
- advise AMSA in writing on an appropriate strategic direction or the manner in which AMSA should perform its functions;
- terminate appointments to the Board in certain circumstances, including those of the Chair and Deputy Chair;
- direct AMSA to give documents and information to a ministerial nominee;
- give notice in writing to approve or disapprove a proposed determination fixing charges, but having regard to AMSA's duties and responsibilities; and
- convene a meeting of the Board.

Under the CAC Act, the Minister has the power to:

- request a submission of Budget estimates in a particular form and within a particular timeframe;
- provide guidelines to the Board regarding notification of a significant event;
- set time limits for the provision of information; and
- notify the Board of general policies of the Australian Government that are to apply to AMSA.

The Minister notifies the AMSA Board, through the Department, of general policies of the Australian Government that are to apply to this authority.

Departmental roles and responsibilities

A departmental officer occupying a position as specified by the Minister is a member of the board as an ex officio member. Currently the Deputy Secretary in the Department responsible for transport security and aviation holds an appointment in this capacity.

AMSA leads the Australian delegation to the International Maritime Organization (IMO), a specialised agency of the United Nations dealing with ship safety and marine environment protection. The Department plays a key role, particularly in IMO sub-committees, on policy issues of importance to Australia.

The Department has a coordination role in relation to advising its portfolio agencies, including AMSA, of Government policy on administrative arrangements and financial and taxation matters. In addition, the Department has a role in advising the Minister on strategic planning in portfolio agencies and the preparation of charter letters.

Organisation

Structure

AMSA comprises seven divisions: Ship Safety; Navigation Safety and International; Marine Environment; Domestic Vessel; Emergency Response; Corporate Services and Corporate Relations. AMSA's head office is in Canberra and AMSA has offices in: Adelaide; Airlie Beach; Brisbane; Cairns; Darwin; Devonport; Fremantle; Geraldton; Gladstone; Karratha; Launceston; Mackay; Melbourne; Newcastle; Port Hedland; Port Kembla; Sydney; Townsville; and Thursday Island.

Funding

AMSA provides its ship safety and regulatory services to the commercial shipping industry on a cost recovery basis through statutory levies and fee-for-service revenue sources. There are three AMSA levies:

- marine navigation levy funds the national navigation aids to navigation network and related functions;
- marine navigation (regulatory functions) levy funds shipping safety and regulatory functions; and
- protection of the sea levy funds marine pollution prevention and preparedness capability to respond to marine pollution or shipping incidents. Preparedness includes pollution response stockpiles; contracted emergency towage capability and overall management of the National Plan for Maritime Environmental Emergencies.

Levy revenue for 1 July 2012 to 30 June 2013 totalled \$106.0 million. AMSA also receives budget appropriation funding for aviation and maritime search and rescue and to establish AMSA as the national safety regulator for domestic commercial vessels. Appropriation funding totalled \$63.3 million for the 2012-13 financial year. Other revenue for the 2012-13 financial year totalled \$11.1 million, primarily from fee-for-service revenue sources and payments from related entities in relation to continued provision of transport safety assistance to Indonesia.

Under the IGA, the states and Northern Territory, together with the Commonwealth, agreed to provide annual funding of \$4 million (in 2011 dollars) to provide head office national regulator functions in relation to domestic commercial vessels.

Staff

AMSA had 356 members of staff nationally as at 30 June 2013.

Members

Position	Member	Appointment Type
Chair	Mr Leo Zussino	Appointed by the Minister
Deputy Chair	Mr Ross Brewer	Appointed by the Minister
Member	Professor Sarah Derrington	Appointed by the Minister
Member	Dr Russell Reichelt	Appointed by the Minister
Member	Captain Frederick Ross	Appointed by the Minister
Member	Ms Jennifer Clark	Appointed by the Minister
Member	Mr Stuart Richey AM	Appointed by the Minister
Member	Mr Andrew Wilson	Ex officio - Departmental Representative (Department of Infrastructure and Transport)
CEO	Mr Graham Peachey	Ex officio - Appointed by the Board

Contacts

AMSA

Mr Graham Peachey
 Chief Executive Officer
 Australian Maritime Safety Authority
 GPO Box 2181
 CANBERRA ACT 2601
 Ph: (02) 6279 5000
 Email: CEO@amsa.gov.au

Department

Ms Leanne Kennedy
 Director
 Maritime and Shipping Branch
 Surface Transport Policy Division
 GPO Box 594
 CANBERRA ACT 2601
 Ph: (02) 6274 7500
 Email: Leanne.Kennedy@infrastructure.gov.au

Civil Aviation Safety Authority

Annual Report Tabled:	Yes.
Creation Date:	6 July 1995.
Constituted By:	The Director of Aviation Safety (ex officio) and up to four part-time members.
Appointed By:	The Minister for Infrastructure and Transport.
ABN:	44 808 014 470
Web Site:	www.casa.gov.au
Description:	The Civil Aviation Safety Authority (CASA) regulates the safety of: <ul style="list-style-type: none"> • civil air operations within Australia; and • Australian registered aircraft operating outside of Australian territory.
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

CASA was established in July 1995 under the *Civil Aviation Act 1988* (CA Act) as an independent statutory authority. The primary objective of the CA Act is to establish a regulatory framework for maintaining, enhancing, and promoting the safety of civil aviation, with particular emphasis on preventing aviation accidents and incidents.

Functions

CASA's primary function is to regulate the safety of civil air operations in Australian territory and the operation of Australian registered aircraft outside Australian territory. CASA is also responsible for regulatory oversight of Australian-administered airspace, air traffic services and aviation rescue and fire fighting services. section 9A of the CA Act requires CASA to regard the safety of air navigation as the most important consideration in the exercise of its powers and the performance of its functions. The Civil Aviation Regulations 1988 (CAR) and the Civil Aviation Safety Regulations 1998 (CASR) provide for general regulatory controls over aviation safety.

The CA Act and CAR allow CASA to issue Civil Aviation Orders on detailed matters of regulation. The CAR are progressively being replaced by the CASR. Under the CASR, CASA may issue Manuals of Standards, which contain detailed technical material, such as technical specifications and standards.

Air transport regulation is effected through Commonwealth legislation and an extensive regulatory framework which is managed by the Department, CASA, the Australian Transport Safety Bureau, Airservices Australia and the International Air Services Commission.

Governance arrangements

The CASA Board:

- is responsible for determining the objectives, strategies and policies to be followed by CASA;
- ensures that CASA's functions are performed in a proper, efficient and effective manner;
- ensures that CASA complies with directions given by the Minister under sections 12, 12(A) and 12(B) of the CA Act;

- comprises the Director of Aviation Safety, as an ex officio member, and up to four part-time members, who are appointed by the Minister on the basis of Cabinet approval. A quorum is constituted by three Board members;
- reports directly to the Minister; and
- appoints the Director of Aviation Safety, following consultation with the Minister.

Mandatory reporting

The CA Act mandates requirements relating to the preparation and submission of an Annual Report. The Annual Report must include details of directions issued and notifications given by the Minister under the Act.

Under section 44 of the CA Act, CASA is required to prepare a Corporate Plan at least once a year to cover a period of three years. The Minister must approve the plan and table it in Parliament.

Ministerial roles and responsibilities

Under sections 12, 12A and 12B of the CA Act the Minister may:

- give the CASA Board written directions (of a general nature only) as to the performance of its functions or the exercise of its powers;
- notify the CASA Board in writing of his or her views on the following matters:
 - the appropriate strategic direction for CASA;
 - the manner in which CASA should perform its functions; and
- direct CASA to give to a specified nominee any documents or information relating to CASA's operations that the nominee requests.

Subsection 98(1) of the CA Act provides that the Governor-General may make regulations for the purposes of the Act and in relation to the safety of air navigation. The CAR and the CASR are submitted for promulgation by the Governor-General under the authority of the Minister.

Departmental roles and responsibilities

The Department has a coordination role in advising its portfolio agencies, including CASA, of government policy, administrative arrangements and Budget matters. The Department works with CASA on aviation policy matters, the development and making of regulations, and the preparation of replies to ministerial correspondence, submissions to Senate Committees, Budget and other parliamentary inquiries. The Department also has a role in advising the Minister on the strategic directions of CASA, including the preparation of the Minister's Statement of Expectations.

Organisation

Structure

CASA has offices in ten metropolitan and regional centres across Australia.

CASA comprises the following divisions: Office of the Director of Aviation Safety; Operations; Standards; Airspace and Aerodrome Regulation; Safety Education and Promotion; Industry Permissions; Legal Services; Operations Regulations Implementation; and Corporate Services.

Funding

In 2013-14 Portfolio Budget Statements lists total net resources of \$235.97 million for CASA. This includes reserves at bank of \$50.30 million, a standard appropriation of \$42.46 million, special appropriation of \$125.90 million and \$17.30 million in revenue from other sources. The special appropriation represents aviation fuel customs duty and excise paid to CASA through the *Aviation Fuel Revenues (Special Appropriation) Act 1999*.

Staff

CASA had 850 employees as at 30 June 2013, located in offices across Australia.

Members

Position	Member	Appointment Type
Chair	Dr Allan Hawke AC	Appointed by the Minister
Deputy Chair	Mr David Gray	Appointed by the Minister
Member	Mr Trevor Danos	Appointed by the Minister
Member	Ms Helen Gillies	Appointed by the Minister
Member	Mr John McCormick	Ex officio - (Director of Aviation Safety) Appointed by the CASA Board

Contacts

CASA

Ms Carolyn Hutton
Manager, Corporate Relations Branch
Civil Aviation Safety Authority
GPO Box 2005
CANBERRA ACT 2601
Ph: (02) 6217 1390
Email: Carolyn.Hutton@casa.gov.au

Department

Mr Jim Wolfe
General Manager
Air Traffic Policy Branch
Aviation and Airports Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7611
Email: Jim.Wolfe@infrastructure.gov.au

National Transport Commission

Annual Report Tabled:	Yes.
Creation Date:	15 January 2004.
Constituted By:	Five Commissioners.
Appointed By:	The Minister for Infrastructure and Transport.
ABN:	67 890 861 578
Web Site:	www.ntc.gov.au
Description:	The National Transport Commission's (NTC) function is to develop, monitor and maintain uniform or nationally consistent regulatory and operational reforms in road, rail and intermodal transport. These reforms take the form of policies, procedures and model/applied legislation that are considered by the Standing Council on Transport and Infrastructure (SCOTI).
Prescribed Authority for the purposes of the FOI Act:	Yes.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

NTC is an independent statutory authority established under the *National Transport Commission Act 2003* (NTC Act) and the Intergovernmental Agreement for Regulatory and Operational Reform in Road, Rail and Intermodal Transport (the IGA) to overcome barriers to efficient land transport by introducing nationally consistent transport policies and legislation. In July 2011 the NTC Act was amended to bring NTC under the *Commonwealth Companies and Authorities Act 1997* (CAC Act).

Functions

Under the Australian federal system of Government, and flowing from the Constitution, states and territories primarily regulate land transport. Historically this has led to different rules across borders, affecting compliance and industry productivity.

NTC aims to:

- make land transport more innovative, efficient and safe;
- make transport regulation more consistent and effective; and
- reduce land transport environmental impacts.

NTC works in close partnership with the road, rail and intermodal industries and stakeholders, governments, transport agencies, police and other organisations to develop practical reforms. The NTC is not a decision making body. It advises SCOTI of its recommendations for reform so that SCOTI may make the decisions. The implementation of reforms accepted by SCOTI is primarily a state and territory function.

Governance arrangements

NTC:

- makes recommendations to SCOTI regarding the development of uniform or nationally consistent regulatory and operational arrangements for road, rail and intermodal transport, rail safety and heavy vehicle charges;

- acts in accordance with the IGA as referred to in the NTC Act;
- makes recommendations relating to matters such as the NTC’s strategic plan; and
- appoints the Chief Executive Officer (CEO).

NTC meets approximately six times per year.

Mandatory reporting

NTC is subject to all reporting requirement of the CAC Act. NTC prepares an Annual Report that is tabled in Parliament. Each year NTC submits a rolling three year strategic plan work program and Budget for SCOTI’s approval.

Ministerial roles and responsibilities

The Minister Chairs SCOTI and appoints the part-time Commissioners on the recommendation of SCOTI as provided by the IGA.

Departmental roles and responsibilities

The Department advises the Minister and Secretary in the Chairing roles and participates with other jurisdictions in supporting deliberations more broadly. The Department has portfolio governance responsibility for NTC.

Organisation

Structure

The NTC Act provides for the appointment of five part-time Commissioners, who may be appointed for a maximum term of three years. The full-time CEO is also a Commissioner (non-voting) and member of the Board. The NTC consists of a Corporate Services area plus the following areas:

- heavy vehicle compliance and technology;
- heavy vehicle pricing;
- productivity and safety;
- reform maintenance; and
- strategy, monitoring and reviews.

Funding

Funding for NTC is contributed by Commonwealth, state and territory governments. The Australian Government provides 35 per cent, with the states and territories providing the rest in proportion to the population in each jurisdiction. These funding arrangements are agreed by a formal vote of SCOTI.

Staff

NTC has approximately 45 full-time equivalent staff as at 30 June 2013, all located in Melbourne.

Members

Position	Member	Appointment Type
Chair	Mr Greg Martin PSM	Appointed by the Minister
Deputy Chair	Prof Ian Johnston AM	Appointed by the Minister
Commissioner	Ms Julie-Anne Schafer	Appointed by the Minister
Commissioner	Mr Bill Noonan OAM	Appointed by the Minister
Commissioner	Prof Frank Muller	Appointed by the Minister
CEO	Mr Paul Retter AM	Ex officio - Appointed by the Chair in consultation with the Commission

Contacts***NTC***

Level 15
628 Bourke Street
MELBOURNE VIC 3000
Ph: (03) 9236 5000
Email: ntc@ntc.gov.au

Department

Mr Anthony Swan
Director, Land Freight and Port Initiatives section
Surface Transport Policy Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 6885
Email: Anthony.Swan@infrastructure.gov.au

Australian Rail Track Corporation

Annual Report Tabled:	Yes.
Creation Date:	25 February 1998.
Constituted By:	Three to eight members (seven currently appointed with one vacant).
Appointed By:	The Minister for Infrastructure and Transport and the Minister for Finance and Deregulation.
ABN:	75 081 455 754
ACN:	081 455 754
Web Site:	www.artc.com.au
Description:	The Australian Rail Track Corporation (ARTC) manages the National Interstate and Hunter Valley rail networks and sells access to train operators over the network.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

ARTC is a government business enterprise established under the *Corporations Act 2001* and governed by the *Commonwealth Authorities and Companies Act 1997* (CAC Act). The Minister for Finance and Deregulation and the Minister for Infrastructure and Transport are shareholder ministers of ARTC on behalf of the Australian Government.

The Australian Government's relationship to ARTC is similar to the relationship between a holding company and its subsidiaries. The key roles and responsibilities of the relationship are guided by the *Australian Government Business Enterprise Governance and Oversight Guidelines October 2011* (the GBE Guidelines).

Functions

ARTC was incorporated in 1998 after the Australian and state governments agreed to the formation of a 'one stop shop' for all rail operators seeking access to the national interstate rail network.

ARTC is responsible for managing access to the elements of the interstate rail track between Brisbane and Perth that it either owns, leases or has a wholesale access agreement. It commenced operations in July 1998 with the following charter:

- to improve performance and efficiency of interstate rail infrastructure;
- to increase capacity utilisation; and
- to provide shareholders with a sustainable return on capital invested.

Governance arrangements

ARTC Board approves an annual statement of Corporate Intent, Corporate Plan and an Annual Report. It also gives written particulars of any proposal affecting the legal status of ARTC to the shareholder ministers. Such proposals might include: forming a company; acquisition or disposal of shares; or participation in partnerships; trusts; joint ventures and acquisitions.

Shareholder ministers appoint directors to the Board after consulting with the Prime Minister and the Treasurer. Cabinet approval is usually sought. Shareholder ministers may, at their discretion, remove directors prior to the completion of their term of appointment.

Mandatory reporting

Statements of Corporate Intent, Corporate Plans and Annual Reports are mandatory outputs under the relevant legislation.

Statements of Corporate Intent and Corporate Plans are prepared by ARTC in consultation with the Department and the Department of Finance and Deregulation and approved by the Board for presentation to the shareholder ministers. Annual Reports are prepared by ARTC and approved by the Board in the context of their legislative reporting requirements. Statements of Corporate Intent and Annual Reports are tabled in Parliament.

The GBE Guidelines specify that the ARTC provide an annual financial report to the shareholder ministers in accordance with the requirements of the CAC Act. In addition, the ARTC is required to provide quarterly reports to shareholder ministers by the dates specified in the GBE Guidelines.

Ministerial roles and responsibilities

The role of the Minister for Finance and Deregulation relates to the financial administration aspects of ARTC. The Minister for Infrastructure and Transport has portfolio responsibilities for the development of the Australian Government's policy about interstate rail infrastructure.

Departmental roles and responsibilities

The Department provides an oversight role, ensuring the ARTC meets its governance obligations. The Department and the Department of Finance and Deregulation advise their ministers on statutory obligations, including CAC Act obligations. Shareholder ministers or their proxies attend the annual general meeting of ARTC.

Formal meetings between ARTC and the two Departments are convened, as required (usually quarterly), to discuss the Annual Report, Corporate Plan, quarterly progress reports and other current issues.

The Department provides advice to the Minister about potential directors, ARTC's performance, ARTC projects, including projects funded by the Commonwealth.

Organisation

Funding

ARTC funds its activities from three main sources - revenue from access charges generated through utilisation of the interstate and Hunter Valley network it controls, revenue from other sources including debts, and grants/equity from the Commonwealth.

Staff

As at 23 July 2013, ARTC had 1,140 staff.

Members

Position	Member	Appointment Type
Chair	Mr John Caldon	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation
Director	Mr Lucio di Bartolomeo	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation
Director	Ms Gillian Brown	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation
Director	Ms Lynelle Briggs	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation
Director	Ms Pamela Catty	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation
Director	Mr Barry Cotter	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation
CEO and Managing Director	Mr John Fullerton	Ex officio - Appointed by the Minister for Infrastructure and Transport with endorsement from the Prime Minister and/or Cabinet

Contacts

ARTC

Mr John Fullerton
PO Box 10343
Gouger Street
ADELAIDE SA 5000
Ph: (08) 8217 4351

Department

Mr Richard Wood
General Manager
Rail and Intermodal Branch
Infrastructure Investment Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7413
Email: Richard.Wood@infrastructure.gov.au

Moorebank Intermodal Company Ltd

Annual Report Tabled:	Yes.
Creation Date:	12 December 2012.
Constituted By:	Nine Directors (all currently appointed) and one Chief Executive Officer.
Appointed By:	The Minister for Infrastructure and Transport and the Minister for Finance and Deregulation.
Web Site:	http://www.finance.gov.au/property/property/moorebank-intermodal-freight-terminal/index.html
Description:	The company manages the delivery of the Moorebank Intermodal Terminal, including seeking private sector participation for the development and operation of the intermodal terminal.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	Yes.
Reportable for the Senate Order:	Yes.

Legal status

Moorebank Intermodal Company Ltd (MIC) is a government business enterprise established under the *Corporations Act 2001* and governed by the *Commonwealth Authorities and Companies Act (1997)* (the CAC Act). The Minister for Finance and Deregulation and the Minister for Infrastructure and Transport are shareholder ministers of MIC on behalf of the Australian Government.

The key roles and responsibilities of the relationship are guided by the *Australian Government Business Enterprise Governance and Oversight Guidelines October 2011* (the GBE Guidelines).

Functions

MIC was established on 12 December 2012 to facilitate the delivery of the Moorebank Intermodal Terminal in south-western Sydney.

MIC will hold a lease over Commonwealth land at Moorebank and will lead the development and future operation of the intermodal terminal.

MIC's goal is to create a world class intermodal terminal capable of facilitating a quantum modal shift in the rail transport of containerised freight.

Governance arrangements

MIC is required to provide an annual Statement of Corporate Intent, Corporate Plan, and Annual Report.

MIC must also report quarterly against their deliverables outlined in their Corporate Plan. MIC is also required to notify the shareholder ministers of any notifiable events.

Shareholder ministers appoint directors to the Board after consulting with the Prime Minister. Cabinet approval is usually sought. Shareholder ministers may, at their discretion, remove directors prior to the completion of their term of appointment.

Mandatory reporting

The Statement of Corporate Intent, Corporate Plan and the Annual Report are mandatory reporting requirements.

Statements of Corporate Intent and Corporate Plans are prepared by MIC in consultation with the Department and the Department of Finance and Deregulation and approved by the Board for presentation to the shareholder ministers. Statements of Corporate Intent and Annual Reports are tabled in Parliament.

The GBE Guidelines specify that MIC provide an annual financial report to the shareholder ministers in accordance with the requirements of the CAC Act. In addition, MIC is required to provide quarterly reports to shareholder ministers as specified in the GBE Guidelines.

Ministerial roles and responsibilities

The Minister for Infrastructure and Transport has portfolio responsibilities for the development of the Australian Government's policy about interstate freight movement. The Minister for Finance and Deregulation is responsible for the CAC Act and the GBE Guidelines.

Departmental roles and responsibilities

The Department provides an oversight role, ensuring MIC meets its governance obligations. The Department and the Department of Finance and Deregulation advise their respective Ministers on statutory obligations, including CAC Act obligations.

The Department provides advice to the Minister about potential directors and MIC's progress in facilitating the implementation of the intermodal terminal.

Organisation

Funding

MIC's funding is currently provided by equity injections from the Australian Government.

Members

Position	Member	Appointment Type
Chair	Dr Kerry Schott	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Ms Claire Filson	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Mr Andrew Fraser	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Mr Ray Wilson	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Mr Stephen Williams	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Mr Paul Binstead	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Mr Christopher Brown	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Ms Zorana Bull	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
Director/ Non-Executive Director	Ms Louise Thurgood	Appointed by the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation and endorsed by Cabinet
CEO	Mr Ian Hunt	Appointed by the Chair in consultation with the Minister for Infrastructure and Transport and the Minister for Finance and Deregulation.

Contact

Department

Mr Richard Wood
General Manager
Rail and Intermodal Branch
Infrastructure Investment Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7413
Email: Richard.Wood@infrastructure.gov.au

Australian Road Research Board Group Limited

Annual Report Tabled:	No.
Creation Date:	5 January 1965.
Constituted By:	Seven members.
Appointed By:	Executives of member organisations.
ABN:	68 004 620 651
ACN:	004 620 651
Web Site:	www.arrb.com.au
Description:	<p>Australian Road Research Board Group Limited (ARRB) undertakes collective research of national importance on matters including infrastructure, transport and safety.</p> <p>The members of ARRB are Commonwealth, state, territory and New Zealand agencies with portfolio responsibility for roads.</p>
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

ARRB is a public company limited by guarantee. It was set up in 1960 and incorporated in 1965. The current members of the company are the Australian Government, state and territory road agencies, and the New Zealand Transport Agency.

ARRB was established as a means of cooperating to undertake research of national importance which they could not justify carrying out individually. ARRB constitution precludes distribution of any operating surplus to its members and requires that in any winding-up of the company its remaining assets, if any, must be transferred to an organisation with a similar constitution.

Functions

ARRB undertakes public interest research into roads and road transport on a cost recovery basis and operates Australia's largest transport reference library. It also has a commercial arm which provides consulting and technology transfer services, collects data on roads and builds and sells high technology equipment.

The commercial arm operates fully under principles of competitive neutrality. ARRB is not for profit and holds 'charity' status with the Australian Tax Office, is a rebateable employer for Fringe Benefits Tax purposes (effective August 2010) and exempt from payroll tax (effective March 2011).

Governance arrangements

ARRB is a public company with a Board appointed by its members. Directors hold the positions in their own right and are not representatives of the member agencies. The Chair and Deputy Chair are elected by the directors and are non-executive roles.

Mandatory reporting

As a public company, ARRB must report to the Australian Securities and Investments Commission annually.

It also reports to its members at the Annual General Meeting and to the Austroads Board on a regular (non-mandatory) basis.

Ministerial roles and responsibilities

The Minister has no direct involvement or responsibility for ARRB's activities.

Departmental roles and responsibilities

The Department, as a member of the company, which is a body corporate, appoints a person to act as its representative at any meeting of members.

Organisation

Structure

ARRB has three operating divisions and offices in Melbourne, Perth, Brisbane, Sydney and China.

Funding

The ARRB generates most of its income through non-competitive Austroads and state and territory road research projects (more than 50 per cent), obtained through competitive tendering and contracting, most of which would be to the private sector.

Staff

The company employs approximately 250 people.

Members

Position	Member	Appointment Type
Chair	Mr Don Larkin	Independent
Vice-Chair	Dr Matthew Cuthbertson	Independent
Managing Director	Mr Gerard Waldron	Ex officio
Director	Ms Ann Turner	Independent
Director	Dr Kevin Thompson	Independent
Director	Mr Gary Liddle	Ex officio
Director	Mr Peter Duncan	Ex officio

Contacts

ARRB Transport Research Limited

Mr Tom Wood
Company Secretary
Corporate Services
Ph: (03) 9881 1557

Department

Mr Michael Sutton
General Manager,
Land Transport Productivity Branch
Surface Transport Policy Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7652
Email: Michael.Sutton@infrastructure.gov.au

Austroads Ltd

Annual Report Tabled:	No, but reports annually to member agencies. Accountability obligations under the Commonwealth <i>Corporations Act 2001</i> (Corporation Act)
Creation Date:	1 July 1989
Constituted By:	11 members.
Appointed By:	Departmental Executive.
ABN:	16 245 787 323
ACN:	136 812 390
Web Site:	www.austroads.com.au/
Description:	Austroads is an association of Australian and New Zealand road transport and traffic authorities. The Department is a member of Austroads.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

Austroads is the association of Australian and New Zealand road transport and traffic authorities. Austroads is a company limited by guarantee under the Corporations Act.

Functions

Austroads' purpose is to contribute to the achievement of improved Australian and New Zealand road transport outcomes by:

- undertaking nationally strategic research on behalf of Australasian road agencies and communicating outcomes;
- promoting improved practice by Australasian road agencies;
- facilitating collaboration between road agencies to avoid duplication;
- promoting harmonisation, consistency and uniformity in road and related operations; and
- providing expert advice to the Standing Council on Transport and Infrastructure and the Transport and Infrastructure Senior Official's Committee.

Governance arrangements

Austroads' membership comprises the six state and two territory road transport and traffic authorities, the Department the Australian Local Government Association and the New Zealand Transport Agency. It is governed by a Board consisting of the Chief Executive Officer of each of the 11 member organisations:

- Roads and Maritime Services, New South Wales;
- Roads Corporation, Victoria (VicRoads);
- Department of Transport and Main Roads, Queensland;
- Main Roads, Western Australia;
- Department for Transport, Energy and Infrastructure, South Australia;
- Department of Infrastructure, Energy and Resources, Tasmania;
- Department of Lands and Planning, Northern Territory;
- Department of Territory and Municipal Services, Australian Capital Territory;

- Australian Government Department of Infrastructure and Transport;
- New Zealand Transport Agency; and
- Australian Local Government Association.

Within Austroads there are six programs which address its strategic priorities: assets; freight; network; registration and licensing; safety; and technology. Taskforces engaged in addressing these strategic priorities are made up of senior officers from the member organisations who are responsible for progressing work in the program areas.

Mandatory reporting

Austroads meets reporting requirements under the Corporations Act. Austroads prepares an Annual Report and a five year strategic plan which is submitted to its members and is publicly available on its website.

Ministerial roles and responsibilities

The Minister's approval was needed for the Department to remain a member of Austroads when it became a company and the Minister tabled advice of the change of legal structure in Parliament.

Departmental roles and responsibilities

The Department participates in the work of Austroads through its stakeholder membership, representation on the Board and its program taskforces.

Organisation

Funding

Funding for Austroads is contributed by all members and is made up of both membership contributions and contributions to the work program. The Australian Government provides seven per cent of membership contributions and approximately 29 per cent of work program costs.

Staff

Austroads has a small national office with four staff located in Sydney. The national office provides the secretariat support for the Board, financial management and overall coordination of Austroads activities.

Members

Position	Member	Appointment Type
Chair	Mr Andy Milazzo	Ex officio - (SA)
Deputy Chair	Mr Colin Crampton	Ex officio – (New Zealand Transport Agency)
Member	Mr Gary Liddle	Ex officio – (Vic)
Member	Mr Tony Gill	Ex officio - (ACT)
Member	Mr Andrew Jaggars	Ex officio - (Department of Infrastructure and Transport)
Member	Mr Adrian Beresford-Wylie	Ex officio - (Australian Local Government Association)
Member	Mr Peter Duncan	Ex officio - (NSW)
Member	Ms Clare Gardiner-Barnes	Ex officio - (NT)
Member	Mr Shane Gregory	Ex officio - (Tasmania)
Member	Mr Neil Scales	Ex officio - (Qld)
Member	Mr Stephen Troughton	Ex officio - (WA)

Contacts***Austroads***

Mr Murray Kidnie
Executive Director
Suite 2, Level 9
287 Elizabeth Street
SYDNEY NSW 2000
Ph: (02) 9264 7088
Email: mkidnie@austrroads.com.au

Department

Mr Michael Sutton
General Manager
Land Transport Productivity Branch
Surface Transport Policy Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 6073
Email: Michael.Sutton@infrastructure.gov.au

Sydney Airport Slot Manager

Annual Report Tabled:	No.
Creation Date:	1998.
Constituted By:	Must be a body corporate. The current slot manager is a body corporate with a Board made up of Airline and Airport representatives.
Appointed By:	Minister for Infrastructure and Transport.
Description:	A body corporate appointed to manage slots at Sydney Airport under the <i>Sydney Airport Demand Management Act 1997 (SADM Act)</i> .
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the purpose of the Gender Balance Target:.	No.
Reportable for the Senate Order:	No.

Legal status

The provision of management regarding the administration of slots at Sydney Airport falls under the *Sydney Airport Demand Management Act 1997 (SADM Act)*.

Functions

The Sydney Airport Slot Manager (Slot Manager) has responsibility for the administration of slot management at Sydney Airport, including slot allocation; reporting and monitoring; compliance and financial management.

Slots are airline rights to terminal gates for departure and arrival times.

Governance arrangements

Mandatory reporting

The Department undertakes an annual review of the Slot Manager where the Slot Manager is required to provide details on how it is administering the SADM Act.

The Secretary of the Department may request access to Slot Manager records.

Ministerial roles and responsibilities

The Minister appoints the Slot Manager for Sydney Airport under Part 6 of the SADM Act for a maximum period of three years. To reappoint the Slot Manager, the Minister must be satisfied the Slot Manger has:

- successfully implemented the scheme through a consultative process;
- demonstrated their expertise in the slot allocation process; and
- demonstrated a sound understanding of airport processes and infrastructure.

The Minister has the power to direct the Slot Manager under Part 4, Division 3 of the SADM Act to issue, vary, suspend or cancel slots.

Departmental roles and responsibilities

The Department is responsible for the oversight of the Slot Manager including conducting an annual review of its performance, and working with the Slot Manager as facilitators of the Sydney Airport Compliance Committee.

Organisation

Structure

Airport Coordination Australia Pty Ltd (ACA) has been appointed by the Minister for Infrastructure and Transport as the Slot Manager for Sydney Airport. ACA is a corporation under the *Corporations Act 2001* and the Department understands that ACA operates on a not for profit basis.

Funding

The Slot Manager cost recovers through a levy on industry and a fee on each slot allocated to a domestic carrier.

Further, the SADM Act provides for a compliance framework which can result in fines for Airlines who do not comply with the slots they are issued. Funds received through fines are paid to the Slot Manager via consolidated revenue to go towards the administration of the scheme. To date, no fine has been issued.

Staff

At 24 September 2012, there were 13 staff members, not including Mr Ernst Krolke, Chief Executive Officer and Slot Coordinator.

Members

Position	Member	Appointment Type:
Chair	Mr Damien Wallace	Ex officio - Representative of Qantas Airways Limited
Member	Mr Paul Tyrell	Ex officio - Representative of Regional Aviation Association of Australia
Member	Ms Elpida Antzoulatos	Ex officio - Representative of Virgin Australia Pty Ltd
Member	Ms Shelley Roberts	Ex officio - Representative of Sydney Airport Corporation Limited
CEO and Slot Coordinator	Mr Ernst Krolke	Slot Coordinator, Airport Coordination Australia

Contacts

Airport Coordination Australia Pty Ltd

Ernst Krolke
Chief Executive Officer and Slot Coordinator
Level 3, Suite 1227
SYDNEY INTERNATIONAL TERMINAL NSW
2020
Ph: (02) 9313 5469
Email: ejkrolke@coordaus.com.au

Department

Adam Sutherland
section Head, NSW Airports
Airports Branch
Aviation and Airports Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 6959
Email:
Adam.Sutherland@infrastructure.gov.au

Transport Certification Australia Ltd

Annual Report Tabled:	No.
Creation Date:	15 August 2005.
Constituted By:	Nine members.
Appointed By:	Member organisations.
ABN:	83 113 379 936
ACN:	113 279 936
Web Site:	www.tca.gov.au
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

The Transport Certification Australia Ltd (TCA) operates as a company limited by guarantee and is incorporated under the *Corporations Act 2001* (Corporations Act). TCA was registered with the Australian Securities Investment Commission on 15 August 2005. It is owned jointly by the Commonwealth and state governments (the members).

Functions

TCA was established to serve its members and the community by supporting the development and implementation of the Intelligent Access Program (IAP) and ensuring that IAP Service Providers are certified and audited. To achieve this purpose, TCA's function is to:

- manage the certification and auditing regime for the IAP;
- certify, audit and cancel the certification of IAP Service Providers;
- select and coordinate IAP auditors;
- be a focal point for the IAP;
- undertake communication and disseminate information on the IAP;
- monitor technological developments; and
- liaise with government authorities and IAP Service Providers.

Governance arrangements

TCA:

- operates in accordance with a Memorandum of Understanding and Constitution;
- can have up to nine members, which comprise the transport authorities;
- has a Board which is responsible for its overall governance;
- members are entitled to appoint one director to the Board and each director must be appointed by a member;
- directors appoint an independent Chair to the Board;
- must have no less than three no more than nine directors and one Chairperson on the Board; and
- is required to have at least two meetings per year.

In addition to meeting its obligations in accordance with the Corporations Act, TCA has a Code of Conduct to assist its staff in working within the standards required by its ethics and values, as well as a Board Charter which defines the roles and responsibilities of the Board.

Other than the independent Chair, TCA Board members do not receive remuneration for serving as Board members. The Chief Executive Officer is responsible for the day to day management of TCA.

Mandatory reporting

TCA is required to meet statutory financial reporting and produce an Annual Report that is approved by the Board for presentation to the members.

Ministerial roles and responsibilities

The Minister has no direct role in TCA.

Departmental roles and responsibilities

The Department is represented as a member of TCA and liaises with the organisation on a regular basis on issues pertaining to the IAP and development of associated applications.

Organisation

Funding

Funding for TCA is derived mainly from member contributions and through IAP Service Provider fees and fees from ad-hoc projects on behalf of Australian road agencies, other Australian government entities and some overseas government entities.

Staff

35 staff members are based in Melbourne.

Members

Position	Member	Appointment Type
Chairperson	Mr Stephen Golding	Independent - Appointed by member organisations
Member	Mr Salvatore (Sal) Petrocitto	Ex officio - Appointed by member organisations - (Department of Infrastructure and Transport)
Member	Mr Bruce Ollason	Ex officio - Appointed by member organisations - (Department of Transport and Main Roads, Qld)
Member	Mr David Spence	Ex officio - Appointed by member organisations - (Department of Infrastructure, Energy and Resources, Tas)
Member	Mr Des Snook	Ex officio - Appointed by member organisations - (Main Roads Western Australia, WA)
Member	Mr Trent Rusby	Ex officio - Appointed by member organisations - (Department of Planning, Transport and Infrastructure, SA)
Member	Mr Peter Wells	Ex officio - Appointed by member organisations - (Roads and Maritime Services, NSW)
Member	Mr Peter Mitchem	Ex officio - Appointed by member organisations - (Roads Corporation - VicRoads, Vic)
Member	Mr Nicholas Papandonakis	Ex officio - Appointed by member organisations - (Department of Lands and Planning, NT)
Member	Mr Brett Phillips	Ex officio - Appointed by member organisations - (Commissioner for Fair Trading, ACT)

Contacts***TCA***

Mr Chris Koniditsiotis
Chief Executive Officer
Ph: (03) 8601 4682
Mobile: 0410 634 094
Email: chrisk@tca.gov.au

Department

Mr Michael Sutton
General Manager
Land Transport Productivity Branch
Surface Transport Policy Division
GPO Box 594
CANBERRA ACT 2601
Ph: (02) 6274 7252
Email: Michael.Sutton@infrastructure.gov.au

Statutory Office Holders

This category comprises an office identified in legislation, for example, the Auditor-General under section 7 of the *Auditor-General Act 1997*. The term “office” generally denotes a position to which duties and functions are attached*. It follows that a statutory office holder is a person who holds a position to which duties are specifically assigned in legislation (as opposed to people who carry out the duties and function assigned to a body established in legislation). This category also includes office holders that are recognised in statute.

The following is a list of statutory office holders:

- the Administrator of Vehicle Standards;
- the Associate Administrators of Vehicle Standards;
- the Infrastructure Coordinator;
- the Inspector of Transport Security; and
- the Registrar of Liner Shipping.

The following three pages provide details of each of the above office holders.

* This is contingent on the context of the reference. For definitions, in varying contexts, of ‘office’ and ‘office holder’ see the *Acts Interpretation Act 1901*.

Administrator of Vehicle Standards

Annual Report Tabled:	No.
Creation Date:	1 August 1989.
Appointed By:	The Secretary of the Department of Infrastructure and Transport.
Description:	Subsection 22(2) of the <i>Motor Vehicle Standards Act 1989</i> provides that the Administrator will be a Senior Executive Service employee, or acting Senior Executive Service employee, in the Department of Infrastructure and Transport.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

The Administrator of Vehicle Standards is established under section 22 of the *Motor Vehicle Standards Act 1989*.

Functions

The Administrator of Vehicle Standards acts on behalf of the Minister, making decisions under various provisions of the *Motor Vehicle Standards Act 1989* and the Motor Vehicle Standards Regulations 1989.

Office holder

Position	Member	Appointment Type
Administrator of Vehicle Standards	Mr Robert Hogan	Ex officio - (Department of Infrastructure and Transport)

Contact

Department

Mr Robert Hogan
 General Manager
 Vehicle Safety Standards Branch
 Surface Transport Policy Division
 GPO Box 594
 CANBERRA ACT 2601
 Ph: (02) 6274 7266
 Email: Robert.Hogan@infrastructure.gov.au

Associate Administrators of Vehicle Standards

Annual Report Tabled:	No.
Creation Date:	20 April 1999.
Appointed By:	The Secretary of the Department of Infrastructure and Transport.
Description:	Subsection 22(3) of the <i>Motor Vehicle Standards Act 1989</i> provides that an Associate Administrator will be a person holding an office in the Department of Infrastructure and Transport.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

The Associate Administrators of Vehicle Standards is established under section 22 of the *Motor Vehicle Standards Act 1989*.

Functions

Associate Administrators are able to make specified decisions under the *Motor Vehicle Standards Act 1989* and the Motor Vehicle Standards Regulations 1989.

Office holders

Position	Member	Appointment Type
Associate Administrator	Executive Director, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, RAWS section, Vehicle Safety Standard Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, Light Vehicles, Vehicle Safety Standards Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, Heavy Vehicles, Vehicle Safety Standards Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, Vehicle Imports, Vehicle Safety Standards Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, Standards and International, Vehicle Safety Standards Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, Policy and Legislation, Vehicle Safety Standards Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)
Associate Administrator	EL2, Operations Manager, Vehicle Safety Standards Branch, Surface Transport Policy Division	Ex officio - (Department of Infrastructure and Transport)

Contact***Department***

Mr Robert Hogan

General Manager

Vehicle Safety Standards Branch

Surface Transport Policy Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 7266

Email: Robert.Hogan@infrastructure.gov.au

Infrastructure Coordinator

Annual Report Tabled:	No.
Creation Date:	9 April 2008.
Appointed By:	The Minister for Infrastructure and Transport.
Web Site:	www.infrastructureaustralia.gov.au
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status

The Infrastructure Coordinator is a statutory office established under the *Infrastructure Australia Act 2008*.

Functions

The primary function of the Infrastructure Coordinator is to assist Infrastructure Australia (IA) in the performance of its functions.

Governance arrangements

The Infrastructure Coordinator is a delegated authority under the *Public Service Act 1999* and the *Financial Management and Accountability Act 1997* to manage departmental resources that have been provided to support the operations of IA.

Mandatory reporting - Nil.

Ministerial roles and responsibilities

The Minister may give directions on any additional function the Infrastructure Coordinator is required to perform. The Minister may have regard to any views of IA in making these directions.

Departmental roles and responsibilities

The Department provides staff and resources to the Infrastructure Coordinator to support the operations of IA.

Organisation

Structure

The Office of the Infrastructure Coordinator comprises Planning, Infrastructure Investment, Policy and Reform.

Funding

\$36 million over four years from financial year 2011-12 has been appropriated to the Department to fund the operations of IA.

Staff

The Office of the Infrastructure Coordinator, located in Sydney, is supported by the Department.

Office holder

Position	Member	Appointment Type
Infrastructure Coordinator	Mr Michael Deegan	Appointed by the Minister

Contact***Department***

Mr Michael Deegan

Infrastructure Coordinator

Infrastructure Australia

Level 21, 126 Phillip Street

Sydney NSW 2000

Ph: (02) 8114 1900

Email:

Michael.Deegan@infrastructure.gov.au

Inspector of Transport Security

Annual Report Tabled:	No, reports within the Annual Report of the Department.
Creation Date:	23 November 2004.
Appointed By:	The Minister for Infrastructure and Transport.
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	Yes.

Legal status

The Office of the Inspector of Transport Security is established under the *Inspector of Transport Security Act 2006*.

Functions

The role of the Inspector of Transport Security (the Inspector) is to:

- undertake an inquiry, when required by the Minister into:
 - a major transport security matter or an offshore security matter; a pattern or series of incidents that point to a systemic failure or possible weakness of aviation or maritime transport security regulatory systems; or any other transport security matter;
- undertake an inquiry, when required by the Minister, into a major land transport security incident, subject to agreement of the relevant state or territory government; and
- report outcomes of the inquiry to the Minister in a reasonable timeframe.

Governance arrangements

Ministerial roles and responsibilities

The Inspector is appointed by the Minister.

Departmental roles and responsibilities

The Inspector is supported by employees of the Department.

Organisation

Funding

\$0.777 million per annum.

Staff

The Office of the Inspector of Transport Security consists of four employees in addition to the Inspector.

The Inspector's powers may be delegated to other employees, if necessary.

Office holder

Position	Member	Appointment Type
Inspector of Transport Security	Mr Andrew Hughes APM	Appointed by the Minister

Contact***Office of the Inspector of Transport Security***

Mr Dave Ellis

Director

Office of the Inspector of Transport Security

Level 4, 179 Turbot Street

BRISBANE QLD 4000

Ph: (07) 3838 9936

Email: Dave.Ellis@infrastructure.gov.au

Registrar of Liner Shipping

Annual Report Tabled:	No, but reports within the Annual Report of the Department.
Creation Date:	1 August 1989.
Appointed By:	The Minister for Infrastructure and Transport, delegated to the Executive Director, Surface Transport Policy Division.
Web Site:	www.infrastructure.gov.au/maritime/ports/liner
Prescribed Authority for the purposes of the FOI Act:	No.
Reportable for the Gender Balance Target:	No.
Reportable for the Senate Order:	No.

Legal status

The Registrar of Liner Shipping (the Registrar) is an officer of the Department appointed by the Minister pursuant to section 10.78 of Part X of the *Competition and Consumer Act 2010* (CC Act). The power to appoint the Registrar has been delegated to the Executive Director, Surface Transport Policy Division.

Functions

Primarily to register, pursuant to Part X of the CC Act, liner cargo shipping conference agreements and variations of agreements, designated shipper bodies and persons as shipping line agents for the purposes of Part X.

Governance arrangements

The Registrar is an officer of the Department.

Mandatory reporting - Nil.

Ministerial roles and responsibilities

The Minister may direct the Registrar to cancel the registration of a conference agreement, wholly or in part, usually after an investigation and report by the Australian Competition and Consumer Commission. The Minister may also direct the Registrar to register an ocean carrier as a non-conference ocean carrier with substantial market power in relation to a particular trade route.

Departmental roles and responsibilities

The Registrar maintains various registers pertaining to Part X, the principle being the Register of Conference Agreements, and assists shipping lines and shippers to understand the requirements of Part X. Officers of the Department, generally including the Registrar, are appointed as authorised officers to attend shipper/carrier negotiations held under the auspices of Part X.

Organisation

Funding

Fees collected under Part X, primarily for the registration of conference agreements, are paid into the consolidated revenue fund.

Staff

The Registrar is the only staff member. The Registrar may however delegate all or any of the Registrar's powers to another officer of the Department pursuant to Part X, section 10.82 of the Act.

Contacts***Registrar of Liner Shipping***

Mrs Leisl Vellnagel-Dunn

Maritime and Shipping Branch

Surface Transport Policy Division

GPO Box 594

CANBERRA ACT 2601

Ph: (02) 6274 7192

Email: Registrar.LS@infrastructure.gov.au

About the Catalogue of Portfolio Bodies

The Catalogue of Portfolio Bodies is part of the Department's commitment to establishing mechanisms to improve the transparency and consistency of portfolio governance arrangements. It provides a profile of all portfolio bodies. The Catalogue contains information on a broad range of portfolio bodies based on the Department of Finance and Deregulation's (DOFD's) *List of Australian Government Bodies and Governance Relationships as at 1 October 2009*. Categories without entries for this portfolio have been omitted.

The criteria for inclusion in this Catalogue are based on DOFD's definition of an Australian Government body, or having a governance relationship with the Australian Government, and the following considerations apply:

- establishing or giving statutory recognition to a body in a Commonwealth Act, regulation or other legislative instrument;
- involvement of a Minister, Secretary (of a Department of State) or Agency Chief Executive (or their delegate) in the body, such as being a member or a director, or having a capacity to direct the body;
- appointment of persons to the body or its Board or committee by a Minister, Parliamentary Secretary, Secretary (of a Department of State), an Agency Chief Executive (or their delegate);
- the Commonwealth has a direct or indirect interest in formal governance of a body (for example, a proportion of shares or an ability to appoint directors);
- where the Commonwealth or one of its bodies acts as a trustee; or
- where one of the following is a member of a company, (whether as a shareholder or guarantor) partnership, association, joint venture or trust:
 - the Commonwealth of Australia, including through any Minister, Secretary (of a Department of State), Agency Chief Executive or their delegate;
 - an agency under the *Financial Management and Accountability Act 1997* (FMA Act) or a Commonwealth authority under the *Commonwealth Authorities and Companies Act 1997* (CAC Act);
 - a statutory body corporate not under the FMA Act or the CAC Act;
 - a Commonwealth company under the CAC Act; or
 - where the Commonwealth, represented by a Minister, a Secretary or a Department, is a member of another entity, such as an association or a partnership.

The emphasis is on governance issues and the following information is provided on each portfolio body as relevant:

- legal status;
- functions;
- governance arrangements: mandatory reporting; ministerial roles and responsibilities; departmental roles and responsibilities;
- organisation: structure; funding; and staff;
- membership of governing body; and
- contacts.

The Catalogue is formally updated three times per year and may be read in conjunction with the [List of Australian Government Bodies and Governance Relationships](#) and the Governance and Reporting Branch's [Appointments](#) site on the Department's intranet site, ENTR.

Each portfolio body within the Catalogue is required to provide advice as to whether it is:

- a prescribed authority for the purposes of the *Freedom of Information Act 1982*;
- reportable under the Gender Balance Target definition; or
- reportable under the Senate Order on Appointments.

The following three pages provide definitions for the above mentioned categories. For ease of reference, a listing has also been provided of bodies within the Catalogue that fall into each category.

Prescribed authorities for the purpose of the *Freedom of Information Act 1982*

Section 4(1) of the *Freedom of Information Act 1982* (the FOI Act) defines a 'prescribed authority' as:

- (a) a body corporate, or an unincorporated body, established for a public purpose by, or in accordance with the provisions of, an enactment or an Order-in-Council, other than:
 - (i) an incorporated company or association; or
 - (ii) a body that, under subsection (2), is not to be taken to be a prescribed authority for the purposes of this Act; or
 - (iii) the Australian Capital Territory House of Assembly; or
 - (iv) the Legislative Assembly of the Northern Territory or the Executive Council of the Northern Territory; or
 - (v) the Legislative Assembly of the Territory of Norfolk Island; or
 - (vi) a Royal Commission; or
 - (vii) a Commission of inquiry; or
- (aa) NBN Co; or
- (b) any other body, whether incorporated or unincorporated, declared by the regulations to be a prescribed authority for the purposes of this Act, being:
 - (i) a body established by the Governor-General or by a Minister; or
 - (ii) an incorporated company or association over which the Commonwealth is in a position to exercise control; or
- (c) subject to subsection (3), the person holding, or performing the duties of, an office established by an enactment or an Order-in-Council; or
- (d) the person holding, or performing the duties of, an appointment declared by the regulations to be an appointment the holder of which is a prescribed authority for the purposes of this Act, being an appointment made by the Governor-General, or by a Minister, otherwise than under an enactment or an Order-in-Council

Further information can be found at

www.comlaw.gov.au/details/c2012c00231/html/text#_toc317154612

The following is a list of current prescribed authorities for the purpose of the FOI Act:

- Airservices Australia;
- Australian Maritime Safety Authority;
- Australian Transport Safety Bureau;
- Civil Aviation Safety Authority;
- Infrastructure Australia;
- International Air Services Commission;
- National Transport Commission; and
- Urban Policy Forum.

Reportable entities under the Gender Balance Target definition

Reportable appointments for the annual Gender Balance on Australian Government Boards Report are those to the following entities:

- bodies covered by the CAC Act;
- ministerial advisory committees;
- review committees where appointments are made by a Minister or the Cabinet;
- Commonwealth statutory authorities; and
- agencies under the FMA Act.

A Commonwealth statutory authority is a public sector entity created by a specific law of the Commonwealth. For reporting purposes, this includes a statutory agency having statutory office holders.

Example: The Pharmaceutical Benefits Advisory Committee established under the *National Health Act 1953*.

A ministerial advisory committee is an advisory body established by an Australian Government Minister to provide advice on a particular issue or area, example: International Pro Bono Advisory Group.

A review committee is a committee established by the Government to review a particular area or issue relevant to the Government. Example: The Regional Telecommunications Independent Review Committee.

A list of the relevant entities that are subject to the CAC Act and the FMA Act can be found at: www.finance.gov.au/publications/flipchart/index.html

The following is a list of bodies currently reportable under the Gender Balance Target definition:

- Airservices Australia;
- Australian Maritime Safety Authority;
- Australian Rail Track Corporation;
- Australian Transport Safety Bureau;
- Civil Aviation Safety Authority;
- High Speed Rail Advisory Group;
- Infrastructure Australia;
- International Air Services Commission;
- Maritime Workforce Development Forum;
- Moorebank Intermodal Company;
- National Transport Commission; and
- Sydney Airport Community Forum.

Reportable under the Senate Order on Appointments

On 24 June 2008, the Senate agreed to a motion by Senator Minchin requiring all Australian Government departments and agencies to produce a list of all appointments made by the Government (through Executive Council, Cabinet and Ministers) to statutory authorities, executive agencies, advisory boards, government business enterprises and all other Commonwealth bodies, including the term of the appointment and remuneration for the position. A further amendment to the order agreed to by the Senate 12 May 2009 requires departments and agencies to include the place of permanent residence by state or territory of appointees.

The order also requires departments and agencies to produce a list of all existing vacancies to be filled by government appointment to statutory authorities, executive agencies, advisory boards, government business enterprises and all other Commonwealth bodies.

The lists are tabled three times a year, no later than seven days before the commencement of:

- Budget Estimates;
- Supplementary Budget Estimates; and
- Additional Estimates.

Further information can be found at

www.dpmc.gov.au/accountability/senate_order_apps/index.cfm

The following is a list of bodies reportable under the Senate Order:

- Airservices Australia;
- Australian Maritime Safety Authority;
- Australian Rail Track Corporation
- Australian Transport Safety Bureau;
- Civil Aviation Safety Authority;
- Infrastructure Coordinator;
- Infrastructure Australia;
- Inspector of Transport Security;
- International Air Services Commission;
- Moorebank Intermodal Company;
- National Transport Commission; and
- Sydney Airport Community Forum.

Acronyms

ACA	Airport Coordiantion Australia Pty Ltd
ALGA	Australian Local Government Association
AMSA	Australian Maritime Safety Authority
AMSA Act	<i>Australian Maritime Safety Authority Act 1990</i>
AMVCB	Australian Motor Vehicle Certification Board
ARRB	Australian Road Research Board
ARTC	Australian Rail Track Corporation
ATSB	Australian Transport Safety Bureau
CA Act	<i>Civil Aviation Act 1988</i>
CAC Act	<i>Commonwealth Authorities and Companies Act 1997</i>
CAR	Civil Aviation Regulations
CASR	Civil Aviation Safety Regulations
CASA	Civil Aviation Safety Authority
CC Act	<i>Competition and Consumer Act 2010</i>
CEO	Chief Executive Officer
COAG	Council of Australian Governments
Cr	Councillor
DOFD	Department of Finance and Deregulation
FBT	Fringe Benefits Tax
FMA Act	<i>Financial Management and Accountability Act 1997</i>
FOI Act	<i>Freedom of Information Act 1982</i>
GBE Guidelines	Commonwealth Government Business Enterprise Governance and Oversight Guidelines October 2011
HSR	High Sppeed Rail
IA	Infrastructure Australia
IAP	Intelligent Access Program
IASC	International Air Services Commission
IASC Act	<i>International Air Services Commission Act 1992</i>
IGA	Intergovernmental Agreement
IWG	Infrastructure Working Group
MVSRP	Motor Vehicle Standards Review Panel
MWDF	Maritime Workforce Development Forum
NRSC	National Road Safety Council
NTC	National Transport Commission
SACF	Sydney Aiport Community Forum
SADM Act	<i>Sydney Airport Demand Management Act 1997</i>
SCOTI	Standing Council on Transport and Infrastructure
SVSEG	Strategic Vehicle Safety and Environment Group
TCA	Transport Certification Australia Limited
TFES	Tasmanian Freight Equalisation Scheme
TISOC	Transport and Infrastructure Senior Officials Committee
TLG	Technical Liaison Group
TSI Act	<i>Transport Safety Investigation Act 2003</i>
UPF	Urban Policy Forum



List of Ministerial Appointments as at 6 August 2013

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Airservices Australia										
Chair	Minister for Infrastructure and Transport	Air Chief Marshal Angus Houton, AC, AFC (Ret'd)	3/06/2012	2/06/2015	Statutory and Significant Appointment/ Part-time (Cabinet)	<i>Air Services Act 1995</i> Subsection 22(2)	ACT	Total = 8 NSW = 2 (25%) ACT = 2 (25%) QLD = 2 (25%) VIC = 2 (25%)	Total = 8 M = 5 (62.5%) F = 3 (37.5%)	Jim Wolfe
Deputy Chair	Minister for Infrastructure and Transport	Dr Warren Mundy	3/06/2011	2/06/2014			ACT			
Member	Minister for Infrastructure and Transport	Ms Fiona Balfour	3/06/2013	2/06/2016			NSW			
Member	Minister for Infrastructure and Transport	Ms Samantha Betzien	4/06/2012	3/06/2015			QLD			
Member	Minister for Infrastructure and Transport	Ms Annette Kimmitt	6/06/2012	5/06/2015			VIC			
Member	Minister for Infrastructure and Transport	Mr Paul Lucas	4/06/2012	3/06/2015			QLD			
Member	Minister for Infrastructure and Transport	Mr Anthony Mathews	4/06/2012	3/06/2015			VIC			
Member	Minister for Infrastructure and Transport	Mr David Burden	1/06/2012	31/05/2014			NSW			
CEO	Airservices Board (ex officio)	Ms Margaret Staib, AM, CSC	Ex officio		Statutory Appointment/ Full-time	<i>Air Services Act 1995</i> Subsection 34(1)	N/A	N/A		

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Australian Maritime Safety Authority										
Chair	Minister for Infrastructure and Transport	Mr Leo Zussino	22/11/2011	21/11/2014	Statutory and Significant Appointment/ Part-time	<i>Australian Maritime Safety Authority Act 1990</i> Subsection 13(4)	QLD	Total = 8 QLD = 3 (37.5%) VIC = 1 (12.5%) NSW = 2 (25%) ACT = 1 (12.5%) TAS = 1 (12.5%)	Total = 8 M = 6 (75%) F = 2 (25%)	Leanne Kennedy
Deputy Chair	Minister for Infrastructure and Transport	Mr Ross Brewer	1/03/2011	28/02/2014			VIC			
Member	Minister for Infrastructure and Transport	Dr Sarah Derrington	8/05/2012	7/05/2015			QLD			
Member	Minister for Infrastructure and Transport	Dr Russell Reichelt	10/08/2013	9/08/2016			QLD			
Member	Minister for Infrastructure and Transport	Captain Frederick Ross	22/11/2011	21/11/2014			NSW			
Member	Minister for Infrastructure and Transport	Ms Jennifer Clark	8/05/2012	7/05/2015			NSW			
Member	Minister for Infrastructure and Transport	Mr Stuart Richey AM	1/07/2013	30/06/2016	TAS					
CEO (ex officio)	Minister for Infrastructure and Transport	Mr Graham Peachey	4/05/2010	3/05/2015	Statutory and Significant Appointment/ Full-time (Cabinet)	<i>Australian Maritime Safety Authority Act 1990</i> Subsection 49(1)	ACT			
Member	Ex officio	Officer of the Department of Infrastructure and Transport, Mr Andrew Wilson	3/08/2009	N/A	Statutory Appointment/ Employed under Public Service Act	<i>Australian Maritime Safety Authority Act 1990</i> Subsection 13(1)	N/A	N/A	N/A	

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Australian Rail Track Corporation (Government Business Enterprise)										
Chair	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr John Caldon	21/01/2013	20/01/2015	Significant Appointment/ Part-time	Articles 9.3(a) and 11.6 of the Constitution of the ARTC Ltd	NSW	Total = 8 NSW = 3 (37.5%) QLD = 1 (12.5%) VIC = 1 (12.5%) ACT = 1 (12.5%) SA = 1 (12.5%) Vac = 1 (12.5%)	Total = 8 1 vacant 7 reportable for GBT M = 4 (57.1%) F = 3 (42.9%)	Richard Wood
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Barry Cotter	18/03/2013	17/03/2016		NSW				
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Lucio di Bartolomeo	5/08/2013	29/06/2016		NSW				
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Ms Gillian Brown	5/08/2013	29/06/2016		QLD				
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Ms Lynelle Briggs	10/11/2011	9/11/2014		ACT				
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Ms Pamela Catty	18/03/2013	17/03/2016		VIC				
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Vacant	N/A	N/A		N/A				
CEO and Managing Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr John Fullerton	1/02/2011	31/01/2016	Full-time	Articles of Association of the Australian Rail Track Corporation Ltd	SA			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Australian Transport Safety Bureau										
Chief Commissioner	Minister for Infrastructure and Transport	Mr Martin Dolan	1/07/2009	30/06/2014	Statutory Appointment/ Merit based selection of APS Heads/ Full-time	<i>Transport Safety Investigation Act 2003</i> Subsection 13(1)	ACT	Total = 3 ACT = 1 (33.3%) WA = 1 (33.3%) NSW = 1 (33.3%)	Total = 3 M = 2 (66.5%) F = 1 (33.5%)	Jim Wolfe
Commissioner	Minister for Infrastructure and Transport	Mr Noel Hart	1/07/2012	30/06/2015	Statutory and Significant Appointment/ Part-time	<i>Transport Safety Investigation Act 2003</i> Subsection 13(2)	WA			
Commissioner	Minister for Infrastructure and Transport	Ms Carolyn Walsh	8/03/2013	7/03/2016		NSW				
Civil Aviation Safety Authority										
Chief Executive Officer, Director of Aviation Safety (ex officio)	The Director is appointed by the Board after consultation with the Minister for Infrastructure and Transport.	Mr John McCormick	1/03/2009	28/02/2014	Statutory and Significant Appointment/ Full-time	<i>Civil Aviation Act 1988</i> Subsection 74(1)	N/A	N/A	Total = 5 M = 4 (80%) F = 1 (20%)	Jim Wolfe
Chair	Minister for Infrastructure and Transport	Dr Allan Hawke	1/07/2012	30/06/2015	Statutory and Significant Appointment/ Part-time	<i>Civil Aviation Act 1988</i> Subsection 54(1)	ACT	Total = 4 QLD = 1 (25%) NSW = 2 (50%) ACT = 1 (25%)		
Deputy Chair	Minister for Infrastructure and Transport	Mr David Gray	1/07/2012	30/06/2014			Qld			
Member	Minister for Infrastructure and Transport	Mr Trevor Danos	1/07/2012	30/06/2015			NSW			
Member	Minister for Infrastructure and Transport	Ms Helen Gillies	1/07/2012	30/06/2014			NSW			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
High Speed Rail Advisory Group										
Chair	Minister for Infrastructure and Transport	Ms Lyn O'Connell (Deputy Secretary Department of Infrastructure and Transport)	11/04/2013		Ex officio		N/A	N/A		Rod Channon
Member	Minister for Infrastructure and Transport	The Hon Tim Fischer AC	11/04/2013	N/A	Part-time	N/A	Vic	Total = 6 VIC = 2 (33%) NSW = 3 (50%) WA = 1 (17%)	Total = 6 M = 3 (50%) F = 3 (50%)	
Member	Minister for Infrastructure and Transport	Ms Jennifer Westacott	11/04/2013				Vic			
Member	Minister for Infrastructure and Transport	Professor Sue Holliday	11/04/2013				NSW			
Member	Minister for Infrastructure and Transport	Professor Peter Newman	11/04/2013				WA			
Member	Minister for Infrastructure and Transport	Mr Bob Nanva	11/04/2013				NSW			
Member	Minister for Infrastructure and Transport	Councillor Jenny Dowell	11/04/2013				NSW			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Infrastructure Australia										
Chair	Minister for Infrastructure and Transport	Sir Rod Eddington*	3/05/2011	8/04/2014	Statutory and Significant appointment/ Part-time	<i>Infrastructure Australia Act 2008</i> Subsection 8(1)	VIC	Total = 12 (1 vacant) NSW = 1 (8.5%) VIC = 3 (25%) WA = 3 (25%) QLD = 1 (8.5%) SA = 1 (8.5%) ACT = 2 (16%) Vac = 1 (8.5%)	Total = 8* 1 = vacant 7 reportable for GBT M = 4 (57%) F = 3 (43%)	Jessica Hall
Member	Minister for Infrastructure and Transport	Dr Ian Watt AO	31/10/2011	30/10/2014			ACT			
Member	Minister for Infrastructure and Transport	Dr Martin Parkinson	3/05/2011	2/05/2014			ACT			
Member	Minister for Infrastructure and Transport	Mr Jim Hallion	21/05/2011	20/05/2014			SA			
Member	Minister for Infrastructure and Transport	Ms Kerry Schott*	21/05/2011	20/05/2014			WA			
Member	Minister for Infrastructure and Transport	Mr Anthony Kannis	21/05/2011	20/05/2014			NSW			
Member	Minister for Infrastructure and Transport	The Hon Mark Birrell*	21/05/2011	20/05/2014			VIC			
Member	Minister for Infrastructure and Transport	Professor Peter Newman*	21/05/2011	20/05/2014			WA			
Member	Minister for Infrastructure and Transport	Vacant*								
Member	Minister for Infrastructure and Transport	Mr Phil Hennessy*	21/05/2011	20/05/2014			QLD			
Member	Minister for Infrastructure and Transport	Cr Nicole Lockwood*	21/05/2011	20/05/2014			WA			
Member	Minister for Infrastructure and Transport	Ms Elana Rubin*	21/05/2011	20/05/2014			VIC			
Infrastructure Coordinator										
Infrastructure Coordinator	Minister for Infrastructure and Transport	Mr Michael Deegan	01/07/2013	30/06/2018	Statutory Appointment/ Merit-based selection of APS head/Full-time	<i>Infrastructure Australia Act 2008</i> Subsection 29(1)	NSW	Total = 1 NSW = 1 (100%)	N/A	Jessica Hall

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Inspector of Transport Security										
Inspector	Minister for Infrastructure and Transport	Mr Andrew Hughes APM	8/06/2012	7/06/2015	Statutory and Significant appointment/ Part-time	<i>Inspector of Transport Security Act 2006</i> Section 25	QLD	Total = 1 QLD = 1 (100%)	N/A	Dave Ellis
International Air Services Commission										
Chairperson	Governor-General	Dr Jill Walker	9/02/2011	8/02/2014	Statutory and Significant Appointment / Part-time	<i>International Air Services Commission Act 1992</i> Subsection 40(1)	ACT	Total = 3 ACT = 1 (33.4%) NSW = 1 (33.3%) VIC = 1 (33.3%)	Total = 3 M = 2 (66.5%) F = 1 (33.5%)	Marlene Tucker
Member	Governor-General	Mr John King	1/07/2013	30/06/2016			VIC			
Member	Governor-General	Dr Ian Douglas	8/11/2012	7/11/2015			NSW			
Maritime Workforce Development Forum										
Chairperson	Minister for Infrastructure and Transport	Ms Lynelle Briggs*	19/12/2011	Forum reviewed after two years	Part-time	N/A	ACT	Total = 11 VIC = 2 (18%) NSW = 6 (55%) ACT = 2 (18%) QLD = 1 (9%)	Total = 4* M = 3 (75%) F = 1 (25%)	Leanne Kennedy
Deputy Chairperson	Minister for Infrastructure and Transport	Mr Tony Wilks*	19/12/2011				NSW			
Member	Minister for Infrastructure and Transport	Mr Paddy Crumlin	19/12/2011				NSW			
Member	Minister for Infrastructure and Transport	Mr Terry Snee	19/12/2011				QLD			
Member	Minister for Infrastructure and Transport	Mr Wayne Moore	19/12/2011				NSW			
Member	Minister for Infrastructure and Transport	Ms Teresa Lloyd	19/12/2011				VIC			
Member	Minister for Infrastructure and Transport	Mr David Anderson	19/12/2011				NSW			
Member	Minister for Infrastructure and Transport	Dr Daryll Hull	19/12/2011				NSW			
Member	Minister for Infrastructure and Transport	Rear Admiral Trevor Jones	5/04/2012				ACT			
Member	Minister for Infrastructure and Transport	Mr David Parmeter*	1/05/2012				NSW			
Member	Minister for Infrastructure and Transport	Mr Joseph Homsey*	19/12/2011				VIC			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Moorebank Intermodal Company (Government Business Enterprise)										
Chairperson	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Dr Kerry Schott	13/12/2012	12/12/2015	Significant Appointment/ Part-time	N/A	NSW	Total = 10 NSW = 8 (80%) VIC = 1 (10%) QLD = 1 (10%)	Total = 9 M = 5 (56%) F = 4 (44%)	Richard Wood
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Ms Claire Filson	13/12/2012	12/12/2015			VIC			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Andrew Fraser	13/12/2012	12/12/2015			QLD			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Ray Wilson	13/12/2012	12/12/2015			NSW			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Stephen Williams	13/12/2012	12/12/2015			NSW			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Paul Binstead	8/05/2013	7/05/2016			NSW			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Christopher Brown	8/05/2013	7/05/2016			NSW			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Ms Zorana Bull	8/05/2013	7/05/2016			NSW			
Director	Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Ms Louise Thurgood	8/05/2013	7/05/2016			NSW			
CEO	Chair in consultation with the Minister for Infrastructure and Transport and Minister for Finance and Deregulation	Mr Ian Hunt	25/06/2013	N/A	Full time	NSW				

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
National Transport Commission										
Chair/ Commissioner	Minister for Infrastructure and Transport	Mr Greg Martin PSM	1/07/2013	31/12/2013	Statutory and Significant appointment/ Part-time	<i>National Transport Commission Act 2003</i> Subsection 13(1) Chair and Deputy Chair Subsection 12(1) Commissioner	WA	Total = 5 VIC = 2 (40%) NSW = 1 (20%) WA = 1 (20%) QLD = 1 (20%)	Total = 5 M = 4 (80%) F = 1 (20%)	Anthony Swan
Deputy Chair	Minister for Infrastructure and Transport	Professor Ian Johnston	1/07/2013	31/12/2013			VIC			
Ordinary Member	Minister for Infrastructure and Transport	Ms Julie-Anne Schafer	1/07/2013	31/12/2013			QLD			
Ordinary Member	Minister for Infrastructure and Transport	Mr Bill Noonan OAM	1/07/2013	31/12/2013			VIC			
Ordinary Member	Minister for Infrastructure and Transport	Professor Frank Muller	1/07/2013	31/12/2013			NSW			
CEO	The Chair makes the appointment on the recommendation of the Commission.	Mr Paul Retter AM	8/07/2013	Ex officio	Statutory Appointment/ Merit-based selection of APS Agency Head/Full-time	<i>National Transport Commission Act 2003</i> Subsection 39(1)	N/A	N/A		

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Sydney Airport Community Forum										
Chair	Minister for Infrastructure and Transport	Chair, Community Representative, Mr Peter Fitzgerald*	1/07/2013	30/06/2014	Part-time	N/A	NSW	Total= 26 NSW = 26 100%	Total = 5* M = 4 (80%) F = 1 (20%)	John Collis
Member	Minister for Infrastructure and Transport, in consultation with the Chair, determines membership of the Forum	Community Representative (West), Ms Maria Patrinos*	N/A	N/A	Part-time		NSW			
Member		Community Representative (South), Mr Kevin Hill*	N/A	N/A	Part-time		NSW			
Member		The Hon John Murphy MP, Federal Member for Reid	N/A	N/A	Part-time		NSW			
Member		The Hon Tanya Plibersek MP, Federal Member for Sydney	N/A	N/A	Part-time		NSW			
Member		The Hon Peter Garrett MP, Federal Member for Kingsford-Smith	N/A	N/A	Part-time		NSW			
Member		The Hon Tony Burke MP, Federal Member for Watson	N/A	N/A	Part-time		NSW			
Member		The Hon Robert McClelland MP, Federal Member for Barton	N/A	N/A	Part-time		NSW			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Sydney Airport Community Forum (continued)										
Member	Minister for Infrastructure and Transport, in consultation with the Chair, determines membership of the Forum	The Hon Joe Hockey MP, Federal Member for North Sydney	N/A	N/A	Part-time	N/A	NSW	Total= 26 NSW = 26 100%	Total = 5* M = 4 (80%) F = 1 (20%)	John Collis
Member		The Hon John Alexander MP, Federal Member for Bennelong	N/A	N/A	Part-time		NSW			
Member		The Hon Paul Fletcher MP, Federal Member for Bradfield	N/A	N/A	Part-time		NSW			
Member		The Hon Malcolm Turnbull MP, Federal Member for Wentworth	N/A	N/A	Part-time		NSW			
Member		Mr Scott Morrison MP, Federal Member for Cook	N/A	N/A	Part-time		NSW			
Member		Mr Ron Hoenig MP, State Member for Heffron	N/A	N/A	Part-time		NSW			
Member		The Hon Carmel Tebbutt MP, State Member for Marrickville	N/A	N/A	Part-time		NSW			
Member		Mr Alex Greenwich	N/A	N/A	Part-time		NSW			
Member		Mr John Flowers MP	N/A	N/A	Part-time		NSW			
Member		Cr Victor Macri, Mayor of Marrickville	N/A	N/A	Part-time		NSW			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Sydney Airport Community Forum (continued)										
Member	Minister for Infrastructure and Transport, in consultation with the Chair, determines membership of the Forum	Cr Morris Mansour, Mayor of Ashfield	N/A	N/A	Part-time	N/A	NSW	Total= 26 NSW = 26 100%	Total = 5* M = 4 (80%) F = 1 (20%)	John Collis
Member		Cr Ben Kenneally Mayor of Botany Bay	N/A	N/A	Part-time		NSW			
Member		Cr Brian Robson	N/A	N/A	Part-time		NSW			
Member		Cr Darcy Byrne, Mayor of Leichhardt	N/A	N/A	Part-time		NSW			
Member		Cr Kent Johns, Mayor of Sutherland Shire	N/A	N/A	Part-time		NSW			
Member		Ms Kerrie Mather, CEO Sydney Airport Corporation Ltd	N/A	N/A	Part-time		NSW			
Member		Captain Rob Edney*	N/A	N/A	Part-time		NSW			
Member		Mr Warren Bennett*	N/A	N/A	Part-time		NSW			

Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Urban Policy Forum										
Chairperson	Minister for Infrastructure and Transport	Mr Mike Mrdak (ex officio)	20/01/2012				ACT			
Member	Minister for Infrastructure and Transport	Councillor Felicity-Ann Lewis	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Lord Mayor Lisa Scaffidi	20/01/2012				WA			
Member	Minister for Infrastructure and Transport	Lord Mayor Clover Moore MP	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Councillor Paul Pisasale	20/01/2012				QLD			
Member	Minister for Infrastructure and Transport	Professor Brian Howe AO	20/01/2012				VIC			
Member	Minister for Infrastructure and Transport	Dr Owen Donald	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Ms Sue Holliday	20/01/2012	Membership reviewed every two years	Ex officio	N/A	NSW			
Member	Minister for Infrastructure and Transport	Mr John Thwaites	20/01/2012				VIC			
Member	Minister for Infrastructure and Transport	Ms Monica Richter	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Mr Peter Verwer	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Ms Romilly Madew	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Ms Megan Motto	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Mr Brendan Lyon	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Mr John Lee	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Ms Maria Tarrant	20/01/2012				VIC			

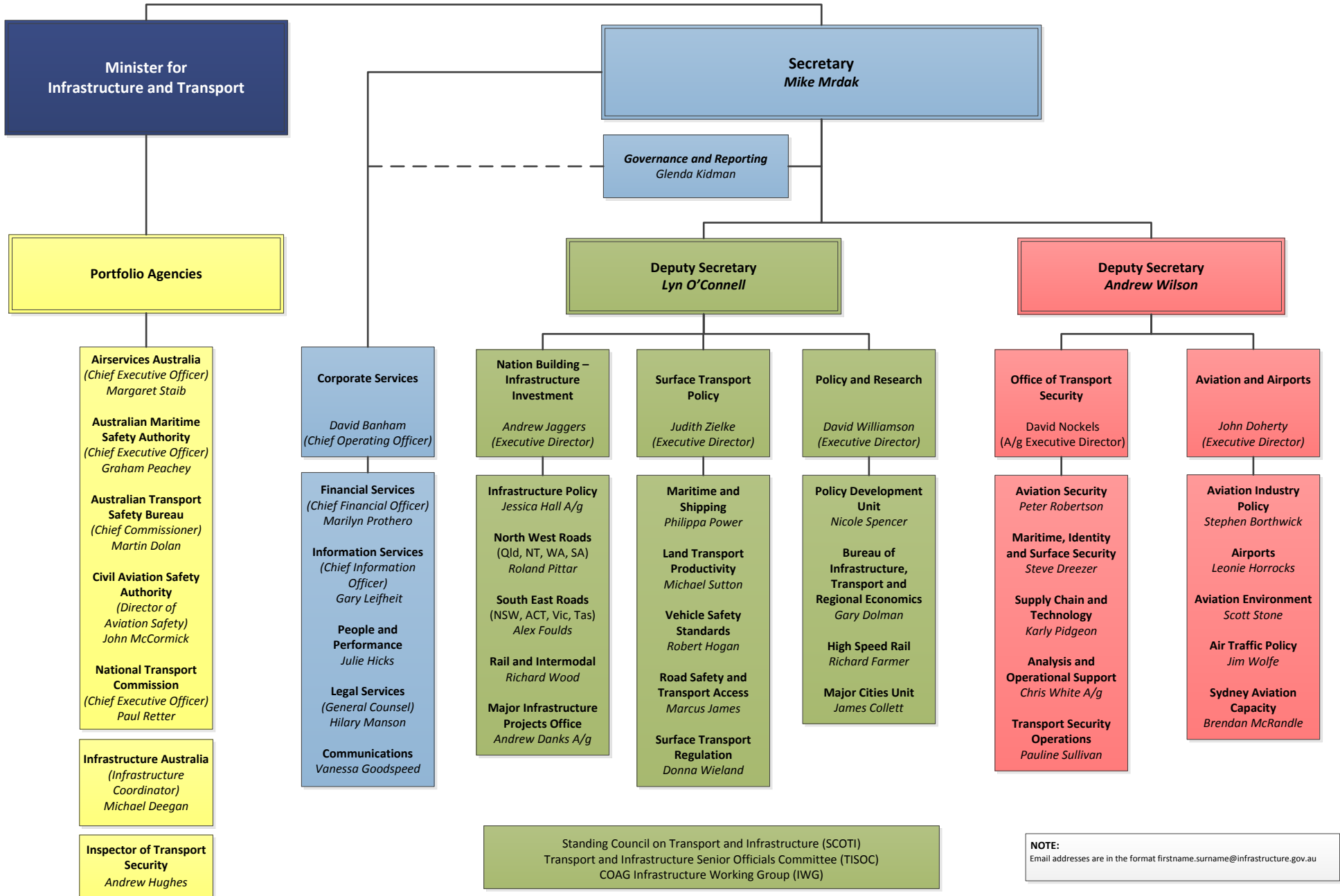
Position	Appointor	Appointee	Date of Effect	Expiry	Type of Appt.	Act and Relevant Section under which appointment is made	Residence	State Ratio	Gender Ratio (reportable for Gender Balance Target GBT)	Departmental Contact
Urban Policy Forum (continued)										
Member	Minister for Infrastructure and Transport	Ms Kirsty Kelly	20/01/2012	Membership reviewed every two years	Ex officio	N/A	SA			
Member	Minister for Infrastructure and Transport	Mr David Parkin	20/01/2012				ACT			
Member	Minister for Infrastructure and Transport	Mr Stephen Hodge	20/01/2012				ACT			
Member	Minister for Infrastructure and Transport	Dr Cassandra Goldie	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Mr Adrian Pisarski	20/01/2012				QLD			
Member	Minister for Infrastructure and Transport	Mr Robert Morris-Nunn	20/01/2012				TAS			
Member	Minister for Infrastructure and Transport	Mr Stephen Alchin	20/01/2012				NSW			
Member	Minister for Infrastructure and Transport	Mr Richard Lindsay	20/01/2012				ACT			



Details of members of the Standing Council on Transport and Infrastructure are available at: http://www.scoti.gov.au/council_members/



Organisational Structure



NOTE:
 Email addresses are in the format firstname.surname@infrastructure.gov.au



Legislation Directory

July 2013

Contents

<i>Adelaide Airport Curfew Act 2000</i>	3
<i>Air Accidents (Commonwealth Government Liability) Act 1963</i>	4
<i>Air Navigation Act 1920</i>	5
<i>Air Navigation Legislation (Validation and Interpretation) Act 1982</i>	7
<i>Air Services Act 1995</i>	8
<i>Aircraft Noise Levy Act 1995</i>	10
<i>Aircraft Noise Levy Collection Act 1995</i>	11
<i>Airports (On-Airport Activities Administration) Validation Act 2010</i>	13
<i>Airports Act 1996</i>	14
<i>Airspace (Consequential and Other Measures) Act 2007</i>	16
<i>Airspace Act 2007</i>	17
<i>ANL Act 1956</i>	18
<i>Australian Airlines (Conversion to Public Company) Act 1988</i>	19
<i>Australian Land Transport Development Act 1988</i>	20
<i>Australian Maritime Safety Authority Act 1990</i>	21
<i>Australian National Railways Commission Sale Act 1997</i>	23
<i>Aviation Fuel Revenues (Special Appropriation) Act 1988</i>	24
<i>Aviation Transport Security Act 2004</i>	25
<i>Carriage of Goods by Sea Act 1991</i>	27
<i>Civil Aviation (Carriers' Liability) Act 1959</i>	28
<i>Civil Aviation Act 1988</i>	30
<i>Coastal Trading (Revitalising Australian Shipping) Act 2012</i>	33
<i>Competition and Consumer Act 2010</i>	35
<i>Damage by Aircraft Act 1999</i>	38
<i>Infrastructure Australia Act 2008</i>	39
<i>Inspector of Transport Security Act 2006</i>	40
<i>International Air Services Commission Act 1992</i>	41
<i>International Interests in Mobile Equipment (Cape Town Convention) Act 2013*</i>	43
<i>Interstate Road Transport Act 1985</i>	45
<i>Interstate Road Transport Charge Act 1985</i>	47
<i>Limitation of Liability for Maritime Claims Act 1989</i>	48
<i>Marine Navigation (Regulatory Functions) Levy Act 1991</i>	49
<i>Marine Navigation (Regulatory Functions) Levy Collection Act 1991</i>	50
<i>Marine Navigation Levy Act 1989</i>	51
<i>Marine Navigation Levy Collection Act 1989</i>	52
<i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012</i>	53
<i>Maritime Transport and Offshore Facilities Security Act 2003</i>	55
<i>Motor Vehicle Standards Act 1989</i>	58
<i>Nation Building Program (National Land Transport) Act 2009</i>	63
<i>National Transport Commission Act 2003</i>	65
<i>Navigation Act 2012*</i>	68
<i>Port Statistics Act 1977</i>	69
<i>Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008</i>	70
<i>Protection of the Sea (Civil Liability) Act 1981</i>	71

<i>Protection of the Sea (Harmful Anti-fouling Systems) Act 2006</i>	72
<i>Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds–Customs) Act 1993</i>	73
<i>Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds– Excise) Act 1993</i>	74
<i>Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds– General) Act 1993</i>	75
<i>Protection of the Sea (Oil Pollution Compensation Funds) Act 1993</i>	76
<i>Protection of the Sea (Powers of Intervention) Act 1981</i>	78
<i>Protection of the Sea (Prevention of Pollution from Ships) Act 1983</i>	79
<i>Protection of the Sea (Shipping Levy Collection) Act 1981</i>	81
<i>Protection of the Sea (Shipping Levy) Act 1981</i>	82
<i>Qantas Sale Act 1992, Part 3, sections 7 to 13 inclusive</i>	83
<i>Railway Agreement (Western Australia) Act 1961</i>	84
<i>Railway Standardization (New South Wales and Victoria) Agreement Act 1958</i>	85
<i>Roads to Recovery Act 2000</i>	86
<i>Shipping Grants Legislation Act 1996</i>	87
<i>Shipping Reform (Tax Incentives) Act 2012</i>	88
<i>Shipping Registration Act 1981</i>	90
<i>Submarine Cables and Pipelines Protection Act 1963</i>	91
<i>Sydney Airport Curfew Act 1995</i>	92
<i>Sydney Airport Demand Management Act 1997</i>	94
<i>Transport Safety Investigation Act 2003</i>	96

*** Recently proclaimed but not yet listed in the AAO**

Amending legislation not included in the Legislation Directory but listed in the AAO

<i>Aviation Transport Security Amendment (Screening) Act 2012</i>
<i>Civil Aviation Legislation Amendment Act 1995</i>
<i>Coastal Trading (Revitalising Australian Shipping) (Consequential Amendments and Transitional Provisions) Act 2012</i>
<i>Maritime Safety (Domestic Commercial Vessel) National Law (Consequential Amendments) Act 2012</i>
<i>Maritime Legislation Amendment Act 2007</i>
<i>Road Charges Legislation Repeal and Amendment Act 2008</i>

Legislation repealed but listed in the AAO

<i>Navigation Act 1912: repealed by the Navigation (Consequential Amendments) Act 2012 on 1 July 2013</i>
<i>Air Passenger Ticket Levy (Collection) Act 2001: repealed by the Statute Law Revision Act 2013 on 29 June 2013</i>
<i>Air Passenger Ticket Levy (Imposition) Act 2001: repealed by the Statute Law Revision Act 2013 on 29 June 2013</i>
<i>Lighthouses Act 1911: repealed by the Navigation (Consequential Amendments) Act 2012 on 1 July 2013</i>

Adelaide Airport Curfew Act 2000

Act last amended: 19 April 2011

Purpose

The legislation imposes a curfew at Adelaide Airport between 11pm and 6am. It defines the operations that may be exempt from the curfew, and any grounds for the grant of dispensations. It allows for a quota to be set allowing international aircraft during curfew shoulder periods (one hour after curfew starts and one hour before curfew ends) and for freight jet operations.

Role and Responsibilities of the Minister

The Minister may:

- grant or refuse applications to operate international aircraft during curfew shoulder periods and impose conditions on these operations;
- grant or refuse applications to operate low noise heavy freight aircraft during curfew periods and impose conditions on these operations;
- grant dispensations for aircraft to take-off or land in emergencies during curfew periods; and
- grant dispensations for aircraft to take-off or land where the Minister (or his delegate) is satisfied that circumstances justify the operation occurring during curfew periods.

Requirements (e.g. Reporting, Consultation etc)

Airservices Australia must give the Secretary of the Department a written report after the end of each month, setting out the number of times that an international aircraft landed at Adelaide Airport during the curfew shoulder period on a runway other than Runway 05. Airservices Australia must also detail the number of times during the month that a low noise heavy freight aircraft landed at Adelaide Airport in that report.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Adelaide Airport Curfew Regulations 2000

Guidelines

- Adelaide Airport Curfew Act – Dispensation Guidelines

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Environment
Responsible Officer	Scott Stone (6274 7605)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Air Accidents (Commonwealth Government Liability) Act 1963

Act last amended: 24 January 2009

Purpose

The *Air Accidents (Commonwealth Government Liability) Act 1963* (the Act) provides for the payment of damages by the Commonwealth and Authorities of the Commonwealth in respect to the death of, or personal injury, to persons travelling as passengers in aircraft operated by the Commonwealth, or travelling in the course of their employment by the Commonwealth. The limitations of amounts recoverable under the Act are aligned to those available under the *Civil Aviation (Carriers' Liability) Act 1959*.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Air Accidents (Commonwealth Government Liability) Regulations 1978

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Air Navigation Act 1920

Act last amended: 15 February 2012

Purpose

The *Air Navigation Act 1920* (the Act) provides for the economic regulation of international air services (Part 2).

Part 2 of the Act seeks to regulate the operation of both scheduled and non-scheduled air services to/from Australia by requiring permission for these services to operate, licensing of aircraft and approval for timetables and tariffs.

On 1 July 2003 Part 2A of the Act was repealed. Part 2A which provided the Australian Transport Safety Bureau with its authority to investigate air safety occurrences was replaced by the *Transport Safety Investigation Act 2003*. However, despite the repeal of Part 2A, that Part continues to apply in relation to investigations commenced under that Part before 1 July 2003.

Part 3 of the Act (which previously addressed aviation security matters) was repealed on 10 March 2004 by the *Aviation Transport Security (Consequential Amendments and Transitional Provisions) Act 2004*. The *Aviation Transport Security Act 2004* has established a new legislative and regulatory framework for aviation security.

The Act was amended by the *Aviation Legislation Amendment (International Airline Licences and Carriers' Liability Insurance) Act 2008* (Amendment Act). The Amendment Act updated and streamlined the administrative and regulatory framework for International Airlines Licences and also repealed a number of definitions that were inserted into the Act in 1995 for the purposes of Part 3 of the Act (now repealed), dealing with the regulation of aviation security.

Role and Responsibilities of the Minister

Part 2: the Minister has the power to designate international airports that must be used by aircraft engaged in international flights (ss. 9 and 10), can ensure that foreign ownership of Australian International Airlines other than Qantas is limited to 49 per cent equity (ss. 11A and 11B), and may approve the carriage of munitions over Australia by civilian aircraft (s.19). The Secretary has the authority to approve non-scheduled services (s.15D) and to make legislative instruments exempting certain categories of aircraft/flights from various regulatory requirements (s.12(3), s.15A(3) and s.17(1B)). The authority to approve tariffs and timetables, and to grant, vary, suspend or cancel an International Airline Licence is located in the Air Navigation Regulations 1947.

Requirements (e.g. Reporting, Consultation etc)

The Secretary of the Department of Infrastructure and Transport must publish in the Aeronautical Information Publication a list of permanently designated international airports (s.9(2)), categories of air services that are exempt from the requirement to have an international airline licence (s.18), categories of international commercial flights not requiring permission to operate (s.18) and categories of international aircraft movements not requiring permission (s.18).

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Air Navigation (Checked Baggage) Repeal Regulations 2008
- Air Navigation (Confidential Reporting) Regulations 2006
- Air Navigation (Aviation Security Status Checking) Regulations 2004
- Transport and Regional Services Legislation Amendment (Application of Criminal Code) Regulations 2002 (No. 1)
- Air Navigation (Essendon Airport) Regulations 2001
- Air Navigation (Checked Baggage) Regulations 2008
- Air Navigation (Coolangatta Airport Curfew) Regulations 1999
- Air Navigation (Fuel Spillage) Regulations 1999
- Air Navigation (Aerodrome Flight Corridors) Regulations 1994
- Air Navigation (Aircraft Noise) Regulations 1984
- Air Navigation Regulations 1947
- Air Navigation (Aircraft Engine Emissions) Regulations

Determinations

- Air Navigation Act 1920 - Determination under section 12(3) - December 2008
- Air Navigation Act 1920 - Determination under subsection 15A(3) - categories of commercial non-scheduled flights for which permission is not required

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 12 November 2012

This page last reviewed: 19 July 2013

Air Navigation Legislation (Validation and Interpretation) Act 1982

Act last amended: 25 March 2003

Purpose

The *Air Navigation Legislation (Validation and Interpretation) Act 1982* (the Act) was introduced to correct a legislative error arising from changes in the machinery of government made on 7 May 1982. At that time, the Department of Transport was abolished and replaced by the Department of Transport and Construction and the Department of Aviation.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Air Services Act 1995

Act last amended: 4 October 2012

Purpose

This Act established Airservices Australia. Airservices Australia was established in 1995 as a result of the then Government's decision to separate the roles of aviation safety regulator and air traffic services provider. The Civil Aviation Safety Authority was established as the safety regulator and Airservices Australia was established as the air traffic services provider. Airservices Australia is responsible for providing air traffic services, aeronautical information services, rescue and fire fighting services, aeronautical communications, and facilities necessary for safe navigation of aircraft and carrying out activities to protect the environment from the effects of Commonwealth jurisdiction aircraft operation.

Role and Responsibilities of the Minister

The Minister may give directions to Airservices Australia relating to the performance of its functions or the exercise of its powers, direct a variation of its corporate plan, notify Airservices Australia about its strategic direction and the manner in which it should perform its functions and direct it to supply any documents or information to his nominee. The Minister is responsible for appointing Board members (other than the Chief Executive Officer) and can make acting appointments to the office of Chairperson and Deputy Chairperson.

The Minister has the power to grant leave of absence to the Chairperson and to terminate the appointment of appointed Board members. The Minister may approve a written determination setting out charges for services or facilities provided by Airservices Australia and penalties for late payment of these charges.

The Minister must table a copy of Airservices Australia's corporate plan.

Requirements (e.g. Reporting, Consultation etc)

Airservices Australia is required to prepare a corporate plan. It has to consult with government, commercial, industrial, consumer and other relevant bodies when performing its functions, where appropriate.

Airservices Australia must give the Minister written notice of price determinations.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Air Services Regulations 1995

Statement of Expectations

- Statement of Expectations For the Board of Airservices Australia For the period 1 July 2013 to 30 June 2015
- Statement of Expectations For the Board of Airservices Australia For the period 1 July 2011 to 30 June 2013
- Statement of Expectations For the Board of Airservices Australia For the period 1 July 2010 to 30 June 2011
- Statement of Expectations For the Board of Airservices Australia For the period 1 November 2008 to 30 June 2010

Directions

- Air Services Act 1995 section 16 Direction No. 4 of 2004
- Air Services Act 1995 - Direction pursuant to section 16 concerning the responsibilities of Airservices Australia in respect of the environmental effects of aircraft
- Air Services Act 1995 - subsection 16(1) - Direction concerning the Sydney Airport long term operating plan
- Air Services Act 1995 - Direction pursuant to section 16 concerning environmental responsibilities of Airservices Australia

Administered in the Department by

Division	Aviation and Airports
Branch	Air Traffic Policy
Responsible Officer	Jim Wolfe (6274 7611)

Aircraft Noise Levy Act 1995

Act last amended: 13 December 2012

Purpose

This Act (and the complementary *Aircraft Noise Levy Collection Act 1995*) establishes a cost recovery regime for Commonwealth funded aircraft noise amelioration programs involving the voluntary acquisition and insulation of residences and public buildings in areas around airports subject to high aircraft noise exposure.

The levy is only payable at those airports where noise amelioration programs have been undertaken i.e. Adelaide and Sydney Airports (for further details of these arrangements see *Aircraft Noise Levy Collection Act 1995*).

The levy imposed by this Act applies to jet aircraft landings with the amount of levy actually payable reflecting the noise characteristics of the aircraft. The amount of levy payable per jet aircraft landing is determined according to a formula prescribed in section 6(1) of the Act.

The formula provides that the noisier the aircraft the higher will be the amount of levy paid per landing. The levy applies to jet landings only, reflecting the fact that jet aircraft generally create greater noise disturbance than propeller driven aircraft. There are some small jet aircraft which are not liable for the levy, because their noise levels are below the threshold prescribed in the Act.

The levy rate is prescribed by regulation. It is automatically adjusted in line with CPI movements.

Levy collections for Sydney ceased on 30 June 2006, with Adelaide ceasing on 31 March 2010.

Role and Responsibilities of the Minister

Responsibility for the legislation is split between the Minister and the Treasurer (for further details of these arrangements, see *Aircraft Noise Levy Collection Act 1995*).

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Aircraft Noise Levy Regulations

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Environment
Responsible Officer	Scott Stone (6274 7605)

This page last updated: 17 December 2012

This page last reviewed: 19 July 2013

Aircraft Noise Levy Collection Act 1995

Act last amended: 19 April 2011

Purpose

This Act (and the complementary *Aircraft Noise Levy Act 1995*) establishes a cost recovery regime for Commonwealth funded aircraft noise amelioration programs involving the voluntary acquisition and insulation of residences and public buildings in areas around airports subject to high aircraft noise exposure.

This Act sets out the criteria for imposing the levy and the collection arrangements.

Role and Responsibilities of the Minister

There are two steps involved in imposing the levy – declaring the airport a qualifying airport (this is the administrative responsibility of the Minister and declaring the airport to be a leviable airport (this is the responsibility of the Treasurer as it is regarded as a “taxation matter”).

A qualifying airport can be declared if there are:

- residences or certain noise sensitive public buildings within the relevant Australian Noise Exposure Forecast noise exposure contours around the airport; and
- the Commonwealth is funding, or has funded a noise amelioration program for the airport.

Only Sydney and Adelaide airports meet these criteria and both have been declared as qualifying airports.

Once an airport has been declared a qualifying airport the Treasurer can declare it a leviable airport (i.e. an airport where the levy is to be imposed). The levy can only be applied at an airport for as long as it is required to recover Commonwealth expenditure on noise amelioration programs at that airport.

Levy collections for Sydney ceased on 30 June 2006, with Adelaide ceasing on 31 March 2010. The Minister must table a copy of the Annual Report on the working of the Act (see below) in Parliament.

Requirements (e.g. Reporting, Consultation etc)

The Department has entered into a Deed of Agreement with Airservices Australia to collect the levy. The Secretary must prepare an Annual Report of the working of the Act as soon as practicable after 30 June in each year. This is done as part of the Department’s annual report.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Aircraft Noise Levy Regulations

Declarations

- Aircraft Noise Levy Collection Act 1995 - Declaration of Leviable Airports - Sydney Airport
- Aircraft Noise Levy Collection Act 1995 - Declaration of Leviable Airports - Adelaide Airport (repealed)

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Environment
Responsible Officer	Scott Stone (6274 7605)

This page last updated: 12 December 2012
This page last reviewed: 19 July 2013

Airports (On-Airport Activities Administration) Validation Act 2010

Act last amended: 29 June 2010

Purpose

The *Airports (On-Airport Activities Administration) Validation Act 2010* (the Act) validates all actions performed and powers exercised under the Airports (Control of On-Airport Activities) Regulations 1997 (the Regulations) by persons not validly authorised under the Regulations to perform such functions. The Regulations deal with liquor, commercial trading, vehicle movements, gambling and smoking at specified airports.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Aviation and Airports
Branch	Airports
Responsible Officer	Leonie Horrocks (6274 7760)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Airports Act 1996

Act last amended: 25 October 2012

Purpose

The *Airports Act 1996* (the Act) sets out the regulatory framework for the 21 Australian federal-leased airports. The Act covers matters such as leasing and management of airports, restrictions on ownership of airport-operator companies, land use, planning and building control, environmental management, accounts and financial reports of airport-operator companies, quality of service monitoring, variation and closure of airport sites, control of certain on-airport activities (e.g. gambling, parking, smoking etc), airspace protection, access and demand management at airports, air traffic services and rescue, and fire fighting at airports.

Role and Responsibilities of the Minister

The Minister exercises a broad range of powers and responsibilities in relation to the airports covered by the Act. The Minister's primary role is in the control of land use planning and development through the approval of master plans and major development plans for each of the leased airports.

The Minister also has additional responsibilities in relation to ownership and control through the approval of the transfer of airport leases, the approval of airport-management companies and the ability to seek remedial orders in the Federal Court for breaches of the ownership and control provisions.

Where a demand management scheme is formulated for an airport, the Minister is to approve such a scheme and may issue a declaration that the airport is subject to statutory demand management, and a declaration about the capacity of the airport to handle aircraft movements.

The Minister has the authority to delegate powers under the Act or a demand management scheme to the Secretary or an SES employee.

Requirements (e.g. Reporting, Consultation etc)

Airport-operator companies have a broad range of reporting and consultation requirements prescribed by the Act.

The Minister is required to table statements about decisions under the Act in relation to the grant of an airport lease, transfer of an airport lease, an airport-management agreement, practical control of an airport-operator company and access to airports and demand management schemes for airports (section 243).

The Minister must give each airport-operator company of an airport a notice stating that regulations are proposed in relation to the control of liquor, commercial trading, vehicle movements, gambling and smoking at the airport and inviting submissions at least 30 days before the regulations are made (section 178).

Another requirement for the airport-operator companies is to provide the Minister annually with information on company ownership structures to ensure compliance with the ownership limitations. Airports are required to consult the public and the relevant state and territory planning authorities in relation to their master plans and major development plans, including developments which are likely to have a significant impact on the local or regional community. Sensitive developments are

generally prohibited, but are subject to exemptions. Certain airports are required to submit their annual financial reports and outcomes of their quality of service monitoring.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Airports (Control of On-Airport Activities) Regulations 1997
- Airports (Environment Protection) Regulations 1997
- Airports Regulations 1997
- Airports (Ownership-Interests in Shares) Regulations 1996
- Airports (Protection of Airspace) Regulations 1996
- Airports (Building Control) Regulations 1996
- Transport and Regional Services Legislation Amendment (Application of Criminal Code) Regulations 2002 (No.1)

Administered in the Department by

Division	Aviation and Airports
Branch	Airports
Responsible Officer	Leonie Horrocks (6274 7760)

This page last updated: 2 November 2012

This page last reviewed: 19 July 2013

Airspace (Consequential and Other Measures) Act 2007

Act last amended: 30 March 2007

Purpose

To amend the *Civil Aviation Act 1988* to ensure that airspace regulation is a clear and separate function for the Civil Aviation Safety Authority (CASA) and that CASA acts consistently with the Australian Airspace Policy Statement described in the *Airspace Act 2007*. The Act enables regulations to be made to grandfather decisions made by Airservices Australia under regulations to be transferred to CASA.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Airspace Regulations 2007

Administered in the Department by

Division	Aviation and Airports
Branch	Air Traffic Policy
Responsible Officer	Jim Wolfe (6274 7611)

This page last updated: 18 July 2012

This page last Reviewed: 19 July 2013

Airspace Act 2007

Act last amended: 30 March 2007

Purpose

The *Airspace Act 2007* (the Act) transferred the function of airspace regulation from Airservices Australia (Airservices) to the Civil Aviation Safety Authority (CASA) to strengthen Australia's planning and administration of airspace and address any perception of a conflict of interest between Airservices and its roles as both a commercial air navigation service provider and regulator of the level of service to be provided in particular volumes of Australian administered airspace.

Role and Responsibilities of the Minister

The Act requires the Minister to make an Australian Airspace Policy Statement on the administration and regulation of, and policy objectives for, Australian administered airspace.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Airspace Regulations 2007

Policy Statements

- Australian Airspace Policy Statement 2012
- Australian Airspace Policy Statement 2010
- Airspace Act 2007 - Australian Airspace Policy Statement (28/06/2007)

Proclamations

- Airspace Act 2007 - Proclamation

Administered in the Department by

Division	Aviation and Airports
Branch	Air Traffic Policy
Responsible Officer	Jim Wolfe (6274 7611)

This page last updated: 18 July 2012

This page last reviewed: 19 July 2013

ANL Act 1956

Act last amended: 20 April 2012

Purpose

This Act was initially introduced as the *Australian Coastal Shipping Commission Act 1956* to establish the Australian Coastal Shipping Commission as a Government-owned shipping line. The name of the Act was changed in 1974.

The Act was amended in 1983 to allow ANL to operate more commercially and in 1998 to convert ANL into a public company. The Commonwealth Government initiated a sale process for ANL Limited in April 1998. ANL Limited changed its name to Australian River Co. Limited (ARCo) in January 1999, following the sale of its main operating businesses to private buyers. ARCo itself remains wholly Commonwealth-owned, and is governed by the *Commonwealth Authorities and Companies Act 1997* (CAC Act) and the *Corporations Act 2001*.

ARCo manages residual financial matters. Accordingly a process to transfer ARCo to the Finance portfolio was started several years ago. It had been almost completed when the 2001 election was called.

Role and responsibilities of the Minister

As part of the process to transfer ARCo to the Finance portfolio, the Minister for Finance and Deregulation has (since completion of the sale process) appointed the Board of ARCo, which now has identical membership with that of the AIDC. It is envisaged that ARCo will become a subsidiary of AIDC until its residual financial obligations are discharged and the company is wound up. The Minister (or the holder of an authorising office in the Department declared in writing by the Minister) may certify that a specified matter is an exempt matter, as defined in section 61 of the Act, on which Commonwealth, State or Territory taxes (other than income tax) are not payable.

Requirements (e.g. Reporting, Consultation etc)

The Minister is required, under section 9 of the *Commonwealth Authorities and Companies Act 1997*, to table in each House of the Parliament the annual report prepared by ARCo.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- ANL (Conversion into Public Company) Regulations

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Australian Airlines (Conversion to Public Company) Act 1988

Act last amended: 7 November 2012

Purpose

The *Australian Airlines (Conversion to Public Company) Act 1988* (the Act) relates to the conversion of the Australian National Airlines Commission to a public company. The company was subsequently sold to Qantas.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 2 July 2013

This page last reviewed: 2 July 2013

Australian Land Transport Development Act 1988

Act last amended: 7 July 2008

Purpose

This Act is no longer operational.

The bulk of the Australian Government's road and rail infrastructure programs are administered under the *Nation Building Program (National Land Transport) Act 2009*. Funding to the States and Territories is provided under the *COAG Reform Fund Act 2008*. Funding to other bodies is provided under annual appropriations by Parliament.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Determinations

- Australian Land Transport Development Act 1988 - Determination of Charge Rate under subsection 10(2) for the financial year 2004-05
- Determination of Charge Rate under subsection 10(2) for the Financial Year 2003-04 - Australian Land Transport Development Act 1988

Notes on Administration

- Australian Land Transport Development (ALTD) Act 1988 - National Highway and Roads of National Importance - Notes on Administration (22/12/2003)
- Australian Land Transport Development Act 1988 - National Black Spot Programme - Notes on Administration (19/08/2002)

Administered in the Department by

Division	Nation Building-Infrastructure Investment
Branch	North West Roads
Responsible Officer	Fiona Carrick (6274 6607)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Australian Maritime Safety Authority Act 1990

Act last amended: 1 July 2013

Purpose

The Act establishes the Australian Maritime Safety Authority (AMSA) and has as its objectives:

- the promotion of maritime safety;
- protection of the marine environment from pollution from ships and other environmental damage caused by shipping;
- the provision of a national search and rescue service; and
- the promotion of efficient services by AMSA.

Role and Responsibilities of the Minister

Ministerial responsibilities under the Act cover corporate governance issues relating to the function of the Authority and the approval of maritime charges and levies. In particular, the Minister:

- may give written directions to AMSA about the performance of its functions;
- may determine an amount to be reimbursed to AMSA if AMSA has suffered a financial detriment as a result of complying with a direction from the Minister under a section of the Act;
- may advise AMSA by notice in writing of his or her views about the appropriate strategic direction of AMSA or the manner in which it should be performing its functions;
- may direct AMSA to provide to a specified Ministerial nominee, documents or information relating to the operations of AMSA requested by the nominee;
- appoints members to the AMSA Board;
- may grant leave of absence to the Chairperson;
- may appoint a person to act in the position of any Board Member when the office is vacant or the occupant is unable to perform duties of the office;
- may terminate the appointment of Board Members, other than the Chief Executive Officer, under a variety of specified circumstances;
- may convene a meeting of the AMSA Board at any time;
- may direct Board Members to provide a Corporate Plan by a specified date;
- must respond to the Corporate Plan within 60 days of receiving it;
- must cause to be lodged with the relevant State Officer details of the interest in any land transferred from the Commonwealth to AMSA;
- must determine the value of assets transferred from the Commonwealth to AMSA;
- may give AMSA notice in writing approving or disapproving a proposed Determination by AMSA fixing charges for services and facilities and fixing penalties;
- may delegate his or her powers relating to the transfer of property and assets;
- appoints the Chief Executive Officer (CEO) of AMSA after receiving a recommendation from the Board;
- may grant leave of absence to the CEO; and
- may appoint an acting CEO after receiving a recommendation from the Board.

Requirements (e.g. Reporting, Consultation etc)

The Minister is required, under section 9 of the *Commonwealth Authorities and Companies Act 1997* (CAC Act), to table in each House of the Parliament as soon as practicable (i.e. usually within 15 Sitting Days) the Annual Report prepared by AMSA.

The Annual Report must include:

- a report of operations prepared by the Board in accordance with the Finance Minister's Orders;
 - financial statements;
 - the Auditor-General's Report on the Financial Statements;
 - particulars of any directions given to AMSA by the Minister about the performance of its functions;
 - a summary of notices given to AMSA by the Minister advising of his or her views about the appropriate strategic direction of AMSA or the manner in which it should be performing its functions; and
 - particulars of any direction from the Minister to AMSA to give a specified Ministerial nominee, documents or information relating to AMSA's operations requested by the nominee.
- Under the CAC Act, the Minister has the power to:
- grant an extension of time for submission of the Annual Report;
 - require submission of budget estimates in a particular form and within a particular time;
 - provide guidelines to the Board regarding notification of a significant event;
 - set time limits for the provision of information; and
 - notify the Board of general policies of the Government that are to apply to AMSA.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Determinations

- Australian Maritime Safety Authority - Determination Fixing Charges (No. 1 of 2011)

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leanne Kennedy (6274 7500)

This page last updated: 2 July 2013

This page last reviewed: 2 July 2013

Australian National Railways Commission Sale Act 1997

Act last amended: 20 July 2000

Purpose

The sale of the Australian National Railways Commission (ANRC) operating businesses, apart from its interstate track elements, was completed in November 1997.

The purpose of the *Australian National Railways Commission Sale Act 1997* was to:

- amend the Australian National Railways Commission Act 1983 (the ANRC Act) to provide for the winding down of the operations of ANRC, including the transfer of all residual ANRC assets and liabilities to the Commonwealth, prior to ANRC being abolished by the repeal of the ANRC Act;
- repeal the ANRC Act and related acts;
- amend other acts to remove reference to the abolished ANRC; and
- provide access to railways for defence-related purposes.

Note: although the ANRC Act was repealed by the Australian National Railways Commission Sale Act 1997, its operation in respect of Ministerial Notices is preserved.

Role and Responsibilities of the Minister

Under Part 2 of Schedule 5 to the Act, the Minister may require the manager of a railway previously owned or controlled by ANRC, to provide access, or priority of access, to specified kinds of railway services for specified kinds of defence-related purposes.

Requirements (e.g. Reporting, Consultation etc)

There is no ongoing reporting or consultation requirements although the Department is responsible for residual ANRC matters.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Australian National Railways Commission Regulations

Notices

- Australian National Railways Commission Act 1983 - Notice under section 67AZR of the ANRC Act

Administered in the Department by

Division	Nation Building-Infrastructure Investment
Branch	Rail and Intermodal
Responsible officer	Richard Wood (6274 7413)

This page last updated: 1 July 2013

This page last reviewed: 1 July 2013

Aviation Fuel Revenues (Special Appropriation) Act 1988

Act last amended: 10 July 2006

Purpose

The Act provides for the appropriation of revenue raised from duty on aviation fuels to the Civil Aviation Safety Authority (CASA) and Airservices Australia. Aviation fuels duty is levied on aviation gasoline (avgas) and aviation kerosene (avtur) under the *Excise Tariff Act 1921* and the *Customs Tariff Act 1995*. The Act provides for the appropriation of a specified amount per litre of excise and customs duty on avgas and avtur. The amount appropriated is based on a formula set out in the Act (statutory rate x litres). Currently all payments made under the Act are made to CASA.

Role and Responsibilities of the Minister

The Minister may make written determinations under section 3A in respect to:

- the statutory rate of aviation gasoline and aviation kerosene (the amount per litre that is appropriated);
- the proportion of the payments made under section 4 that CASA and Airservices are entitled to; and
- whether indexation applies (indexation ceased from March 2001).

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Determinations

- Aviation Fuel Revenues (Special Appropriation) Act 1988 - Determination under section 3A(2) Setting the Statutory Rate, Determination under section 4(1A) Setting the Respective Share of the Civil Aviation Safety Authority's (CASA's) Payment (24/06/2010)
- Aviation Fuel Revenues (Special Appropriation) Act 1988 - Determination under subsection 3A(2) Setting the Statutory Rate, Determination under subsection 4(1A) Setting the Respective Share of the Civil Aviation Safety Authority's (CASA's) Payment

Administered in the Department by

Division	Aviation and Airports
Branch	Air Traffic Policy
Responsible Officer	Jim Wolfe (6274 7611)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Aviation Transport Security Act 2004

Act last amended: 25 June 2013

Purpose

The Act and its accompanying transitional Act, the *Aviation Transport Security (Consequential Amendments and Transitional Provisions) Act 2004*, will underpin the Commonwealth's overhaul of the aviation security policy and regulatory regime.

The main purpose of the Act is to establish a regulatory framework to safeguard against unlawful interference with aviation. To achieve this purpose, the Act establishes minimum security requirements for civil aviation in Australia by imposing obligations on persons engaged in civil aviation related activities. In particular, it obliges certain aviation industry participants to develop, and comply with, aviation security programs. Another purpose of the Act is to meet Australia's obligations under the Convention on International Aviation (also known as the Chicago Convention).

The Act establishes a number of mechanisms to safeguard against unlawful interference with aviation.

Part 2 'Transport security programs' requires aviation industry participants to have in place approved transport security programs. Such programs must detail how the participants will manage security for their operations.

Part 3 'Airport areas and zones' allows the Secretary to designate airports as security controlled airports and to establish airside and landside areas and security zones for those airports. Once established, the areas and zones are subject to requirements directed at safeguarding against unlawful interference with aviation.

Part 4 'Other security measures' deals with a number of specific security measures, including screening people and goods, on-board security, examining and clearing cargo, persons in custody, and offences in relation to weapons and prohibited items. It also allows the Secretary to give special security directions and control directions in certain circumstances, and to make disallowable instruments prohibiting the entry of certain kinds of cargo into Australian territory.

Part 5 'Powers of officials' establishes the powers of officials acting under the Act. These officials are aviation security inspectors, law enforcement officers, airport security guards and screening officers.

Part 6 'Reporting aviation security incidents' establishes reporting obligations in relation to aviation security incidents.

Part 7 'Information gathering' allows the Secretary to require aviation industry participants to provide security compliance information.

Part 8 'Enforcement' provides a range of enforcement mechanisms. These are infringement notices, enforcement orders, injunctions and a demerit points system.

Part 9 'Review of decisions' provides for the review of certain decisions by the Administrative Appeals Tribunal.

Part 10 'Miscellaneous' deals with miscellaneous matters.

Role and Responsibilities of the Minister

Section 9A provides the Minister with the power to make a legislative instrument specifying items as prohibited items.

Section 65B of the Act provides the Minister with the power to make a legislative instrument to prohibit the entry of certain kinds of cargo into Australian territory. The Minister must consult the Foreign Affairs Minister and Trade Minister before making this instrument.

Section 74K provides the Minister with the power to make a legislative instrument that determines a code to regulate and authorise the use of optical surveillance devices by aviation industry participants at a security controlled airport, on board certain aircraft, or in certain vehicles.

Requirements (e.g. Reporting, Consultation etc)

There are no formal requirements. The Department is committed to consultation with industry on a range of matters, including the draft Regulations and instruments, and on the implementation of the new measures for the enhanced aviation security package that was announced by the Deputy Prime Minister in December last year.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Aviation Transport Security Regulations 2005

Instruments

- Aviation Transport Security (Prohibited Items) Instrument 2012

Notices

<http://www.comlaw.gov.au/Browse/Results/ByPortfolio/Gazettes/Current/Infrastructure%20and%20Transport/1>

Administered in the Department by

Division	Office of Transport Security
Branch	Aviation Security
Responsible Officer	Peter Edsor (6274 6518)

This page last updated: 7 August 2013

This page last reviewed: 7 August 2013

Carriage of Goods by Sea Act 1991

Act last amended: 13 January 2011

Purpose

The Act regulates the extent to which carriers (shipping companies) are liable for loss or damage to cargo carried by sea. It aims to provide a regime of marine cargo liability that is equitable and efficient and compatible with arrangements existing in countries that are major trading partners of Australia.

The Act is based on the Hague Rules, which were originally developed through international agreement in 1924 to deal with the problem of carriers regularly excluding themselves from all liability for loss or damage to cargo. Basically, the Hague Rules make the carrier liable for faults in the care and custody of cargo, but not for faults in the navigation and management of the ship. The major proportion of the risk in regard to cargo loss or damage remains with the shipper (exporter or importer) and his/her insurer.

Since the introduction of the Act, which received Royal Assent on 31 October 1991, and after consultations with industry, a number of amendments have been made to improve the balance between the interests of carriers and the interests of shippers.

The legislation that is currently in force is contained in Schedule 1A 'The Amended Hague Rules'.

Role and Responsibilities of the Minister

The 1997 and 1998 changes to the legislation implemented a package of measures agreed by a working group that included relevant industry parties (shippers, shipping companies, cargo insurers, and maritime lawyers) and this Department. The package was agreed by the Minister.

The Minister has no responsibilities in respect of dealing with claims for damage to cargo pursued under the provisions of the Act. These are matters for the parties to the contracts for the carriage of goods by sea, and the courts in which litigation may take place.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Carriage of Goods by Sea Regulations 1998.
- Carriage of Goods by Sea Regulations 1998 (No. 2).

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Philippa Power (6274 6796)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Civil Aviation (Carriers' Liability) Act 1959

Act last amended: 31 March 2013

Purpose

The *Civil Aviation (Carriers' Liability) Act 1959* (the Act) provides the legislative framework for air carriers' liability and related consumer protection arrangements. The Act gives force of law to the Warsaw System of carriers' liability in Australia, enacting as the law of Australia those components of the Warsaw System which have been signed and ratified by Australia; that is, the Warsaw Convention (1929), The Hague Convention (1955), the Guadalajara Convention (1961), the Montreal Protocol No. 4 (1975) and the 1999 Montreal Convention. The Warsaw System imposes strict but limited liability on international air carriers for the carriage of passengers, baggage and cargo by air.

In 2008, the Act was amended to give force of law to the 1999 Montreal Convention. This Convention provides for unlimited liability to give Australians travelling overseas on international airlines access to fairer compensation in the event of an airline accident.

Mandatory non-voidable insurance is required for all air carriers flying to, from, or within Australia. In the case of domestic carriage, the minimum insurance level is A\$725,000 per passenger. International carriers, including foreign carriers serving Australia, are required to provide evidence that they are insured to a level of 260,000 Special Drawing Rights (SDRs) per passenger. Carriers must have these levels of insurance irrespective of their liabilities under the relevant international convention.

The arrangements under the Act do not apply to intrastate operations by licensed Regular Public Transport operators. However, the States have adopted complementary legislation to ensure a uniform regime of carriers' liability and mandatory non-voidable insurance in Australia.

The Civil Aviation Safety Authority (CASA) is the regulatory agency which oversees compliance with the insurance requirements under this Act as stipulated by the *Civil Aviation Act 1988*.

A number of proposals to implement and modernise Australia's systems of air carriers' liability were set out in the Australian Government's National Aviation White Paper, released on 16 December 2009. The recent introduction of the *Aviation Legislation Amendment (Liability and Insurance) Act 2012* implemented some of these proposals with the increase in minimum insurance levels and replacing references to 'personal injury' with 'bodily injury' in this Act.

Role and Responsibilities of the Minister

The Minister may publish in the Gazette information relating to:

- the increase of liability limits under the Montreal Convention;
- the coming into operation of the Guadalajara Convention; and
- countries ratifying or denouncing the 1999 Montreal Convention and the Warsaw System's Conventions or Protocols.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Civil Aviation (Carriers' Liability) Regulations 1991

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

Civil Aviation Act 1988

Act last amended: 27 December 2011

Background

The Act establishes a regulatory framework for maintaining, enhancing, and promoting the safety of civil aviation, with particular emphasis on preventing aviation accidents and incidents.

The Act also establishes the Civil Aviation Safety Authority (CASA) with functions relating to civil aviation, in particular the safety of civil aviation.

When originally enacted in 1988, the Act and the related Civil Aviation Regulations 1988 had two main functions. They provided for the regulation of the safety of air navigation and for the establishment of services provided to the aviation industry by the Civil Aviation Authority (CAA).

The *Civil Aviation Amendment Act 1995* and the *Air Services Act 1995* subsequently had the effect of dividing the functions under the Act and 1988 regulations between the CASA and Airservices Australia.

The *Civil Aviation Legislation Amendment Act 1995* established the following governance arrangements.

Role and Responsibilities of the Minister

Issue of Directions

Under Section 12 of the Act the Minister may:

- give CASA written directions as to the performance of its functions or the exercise of its powers;
- notify CASA in writing of the Minister's views on the following;
- the appropriate strategic direction for CASA;
- the manner in which CASA should perform its functions; and
- direct CASA to give to a specified ministerial nominee any documents or information relating to CASA's operations that the nominee requests.

The Minister's directions as to the performance of CASA's regulatory functions can only be of a general nature.

CASA Corporate Plan (Section 45)

The Minister:

- must respond to a corporate plan within 60 days of being given the plan. The Minister's response may include a direction to the CASA board to vary the plan; and
- must cause a copy of the corporate plan to be laid before each House of Parliament within 15 sitting days after responding to the plan, if the response did not include a direction to vary the plan, and within 15 sitting days after receiving a revised copy of the plan, if the response included a direction to vary the plan.

Requirements (e.g. Reporting, Consultation etc)

Under section 44 of the Act, CASA is required to prepare a corporate plan at least once a year to cover a period of three years. The corporate plan is to be tabled in each House of Parliament.

Requirements relating to the preparation and submission of an Annual Report are provided in the CAC Act. The Act however, provides that the Annual Report must include details of directions issued by the Minister under the Act and notification given by the Minister under the CAC Act. See section 49.

The Act also provides that CASA must, where appropriate in the performance of its functions and the exercise of its powers, consult with government, commercial, industrial, consumer and other relevant bodies and organisations (including the International Civil Aviation Organization and bodies representing the aviation industry).

Under section 9A, CASA must regard the safety of air navigation as its most important consideration.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Civil Aviation Amendment Regulations 2002 (No. 2)
- Civil Aviation Amendment Regulations 2001 (No. 4)
- Civil Aviation Amendment Regulations 2000 (No. 3)
- Civil Aviation Amendment Regulations 1999 (No. 1)
- Civil Aviation Safety Regulations 1998
- Civil Aviation (Fees) Regulations 1995
- Civil Aviation (Buildings Control) Regulations 1988
- Civil Aviation Regulations 1988
- Civil Aviation (Savings) Regulations
- Civil Aviation Regulations (Amendment)

Instruments

- CASA AOD 2008/2 - Testable drugs for Part IV of the Civil Aviation Act 1988

Orders

- Civil Aviation Order 48.1 Instrument 2013
- Civil Aviation Order 82.6 Instrument 2007
- Civil Aviation Order 82.7 - Air operators' certificates authorising aerial work operations & charter operations in balloons (12/12/2004)
- Civil Aviation Order 82.5 - Conditions on air operators' certificates authorising regular public transport operations in high capacity aircraft (12/12/2004)
- Civil Aviation Order 82.3 - Conditions on air operators' certificates authorising regular public transport operations in other than high capacity aircraft (12/12/2004)
- Civil Aviation Order 82.1 - Conditions on air operators' certificates authorising charter operations & aerial work operations (12/12/2004)
- Civil Aviation Order 82.0 - Air operators' certificates - Applications for certificates & general requirements (02/12/2004)
- Civil Aviation Order 29.3 - Air service operations - Aeroplanes engaged in agricultural operation - Night aerial spraying (02/12/2004)

Exemptions

- CASA EX05/12 – Exemption - from provisions in Part 172 of CASR 1998
- CASA EX36/06 – Permission and exemption – dangerous goods and loose articles
- CASA EX36/05 - Permission and exemption - dangerous goods and loose articles

Manuals

- Manual of Standards Part 173 - Standards Applicable to Instrument Flight Procedure Design
- Manual of Standards Part 60 - Synthetic Training Devices
- Manual of Standards Part 139 - Aerodromes

Directions

- Civil Aviation Act 1988 - Direction pursuant to section 12 concerning the performance of CASA's functions and the exercise of its powers

Statements

- Statement of Expectations For the Board of the Civil Aviation Safety Authority for the Period 1 July 2013 to 30 June 2015

Administered in the Department by

Division	Aviation and Airports
Branch	Air Traffic Policy
Responsible Officer	Jim Wolfe (6274 7611)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Coastal Trading (Revitalising Australian Shipping) Act 2012

Act last amended: 21 June 2012

Purpose

The *Coastal Trading (Revitalising Australian Shipping) Act 2012* provides for the regulatory arrangements for access of vessels into Australian coastal waters to engage in coastal trading.

It provides for three types of licences (general licence, temporary licence and emergency licence). Using a vessel to engage in coastal trading without the appropriate licence may lead to a pecuniary penalty for breach of a civil penalty provision.

The Act also deals with the application process for each licence, conditions and cancellation of licences.

Role and Responsibilities of the Minister

The Minister exercises a broad range of powers and responsibilities under this Act which include the:

- power to grant or refuse a licence application;
- power to impose conditions;
- power to issue a 'show cause notice' and cancel a licence;
- power to exempt certain vessels or persons from the requirements of the Act; and
- power to declare vessels which operate intrastate voyages to be subject to the requirements of this Act.

The Secretary of the Department of Infrastructure and Transport also exercises certain powers and functions under the Act such as the:

- power to appoint an 'authorised person' for purposes of the Act; and
- power to disclose information to relevant agencies.

The Minister and the Secretary have delegated their powers and functions to relevant SES employees in the Department except the Minister's power to exempt vessels or persons from the application of the Act.

Requirements (e.g. Reporting, Consultation etc)

Licence holders are required to submit certain reports to the Department in relation to the voyages undertaken under their respective licences.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Coastal Trading (Revitalising Australian Shipping) Regulation 2012

Exemptions

- Coastal Trading (Revitalising Australian Shipping) Act 2012 - Section 11 exemption for voyages between Christmas Island and Australian States and Territories
- Coastal Trading (Revitalising Australian Shipping) Act 2012 - Section 11 exemption for cruise vessels

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Philippa Power (6274 6796)

This page last updated: 19 July 2013
This page last reviewed: 19 July 2013

Competition and Consumer Act 2010

Act last amended: 19 December 2012

Purpose

The purpose of Part X is to ensure that Australian shippers, i.e, exporters and importers, have continued access to liner cargo shipping services of adequate frequency and reliability at freight rates that are internationally competitive.

Part X has its origins in the late 1920s and resulted from concerns that Australian exporters should have access to adequate and efficient liner shipping services at reasonable freight rates.

The legislation sets out conditions for granting limited, but assured exemptions from sections 45 and 47 of the *Competition and Consumer Act 2010* to allow liner shipping companies to collaborate as conferences. The conditions include requirements to negotiate with exporters and importers on standards of service and freight rates to be provided under registered agreements. Part X provides a legislative framework within which shipping conferences and their customers can resolve problems through commercial negotiations, with only minimal government involvement.

Australia's major trading partners (USA, Japan, Korea, European Union and New Zealand) have arrangements broadly similar to Part X for regulating international liner shipping.

Role and Responsibilities of the Minister

The primary role of the Minister is in relation to the enforcement powers under Part X designed to deal with situations where shipping conferences may have failed to meet their obligations under that legislation.

If exporters or importers are dissatisfied with the result of their negotiations with shipping conferences, the Minister can refer the matter to the Australian Competition and Consumer Commission (ACCC) for investigation. This can lead to the Minister removing the Part X exemptions from members of the shipping conference concerned.

Decisions by the Minister that affect the interests of conference shipping lines, and/or users of their services are reviewable by the Australian Competition Tribunal.

Requirements (e.g. Reporting, Consultation etc)

In order to obtain the exemptions from the *Competition and Consumer Act 2010* granted by Part X, members of a liner shipping conference must register the agreement under which they operate with the Registrar of Liner Shipping. The Registrar is an officer of the Department appointed by the Minister or a delegate of the Minister.

Prior to making a final decision on removing the Part X exemptions from members of a registered shipping conference agreement (i.e. deregistration of an agreement), the Minister is required to consult, either personally or through authorised officers, with parties to the agreement concerned directed at obtaining an undertaking or action by the parties that would make deregistration of an agreement unnecessary. In practice, such consultations have always been conducted by authorised officers. An authorised officer is an officer of the Department appointed by the Minister or a delegate of the Minister.

After exercising his/her enforcement powers under Part X, the Minister is required to table in the Parliament a statement about the decision and a copy of the ACCC's report on the matters being dealt with under the enforcement powers.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Guidelines Under Section 10.03 for the Exercise of the Registrar's Power in Nominating Designated Shipping Bodies for the Purposes of Sections 10.29, 10.41 and 10.52 of Part X of the *Competition and Consumer Act 2010*

Regulations

- Trade Practices (Australian Consumer Law) Amendment Regulations 2010 (No. 1)
- Trade Practices Regulations

Instruments

- Trade Practices Act 1974 - Instrument of Declaration of Inland Terminals
- Trade Practices Act 1974 - Instrument of Declaration of Inland Terminals (20/11/2008)

Designations

- Revocation of Designation of Outwards Secondary Shipper Body 2007 (No. 6)
- Revocation of Designation of Outwards Secondary Shipper Body 2007 (No. 5)
- Revocation of Designation of Outwards Secondary Shipper Body 2007 (No. 4)
- Revocation of Designation of Outwards Secondary Shipper Body 2007 (No. 3)
- Revocation of Designation of Outwards Secondary Shipper Body 2007 (No. 2)
- Revocation of Designation of Outwards Secondary Shipper Body 2007 (No. 1)
- Declaration of Designated Outwards Peak Shipper Body 2007 (No. 1) - Australian Peak Shippers Association
- Declaration of Designated Outwards Secondary Shipper Body 2007 (No. 5) - Austn International Movers Association
- Declaration of Designated Outwards Secondary Shipper Body 2007 (No. 4) - Austn Horticultural Exporters Association Inc
- Declaration of Designated Outwards Secondary Shipper Body 2007 (No. 3) - Western Austn Shippers Council Inc
- Declaration of Designated Outwards Secondary Shipper Body 2007 (No. 2) - South Australian Shipping User Group
- Declaration of Designated Outwards Secondary Shipper Body 2007 (No. 1) - Meat Industry Shippers Association
- Declaration of Designated Outwards Secondary Shipper Body Pursuant to Subsection 10.03(2) of the Trade Practices Act 1974 (No. 1 of 2003) - Federal Chamber of Automotive Industries
- Declaration of Designated Inwards Secondary Shipper Body Pursuant to Subsection 10.03(2B) of the Trade Practices Act 1974 (No. 1 of 2003) - Federal Chamber of Automotive Industries
- Declaration of Designated Outwards Secondary Shipper Body Pursuant to Subsection 10.03(2) of the Trade Practices Act 1974 (No. 1 of 2001) - Australian Federation of International Forwarders
- Declaration of Designated Inwards Secondary Shipper Body Pursuant to Subsection 10.03(2B) of the Trade Practices Act 1974 (No. 2 of 2001) - Australian Federation of International Forwarders
- Declaration of Designated Inwards Secondary Shipper Body Pursuant to Subsection 10.03(2B) of the Trade Practices Act 1974 (No. 1 of 2001) - South Australian Shipping User Group

- Declaration of Designated Inwards Peak Shipper Body Pursuant to Subsection 10.03(2A) of the Trade Practices Act 1974 (No. 1 of 2000) - Importers Association of Australia

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leisl Vellnagel-Dunn (6274 7192)

This page last updated: 4 January 2013

This page last reviewed: 19 July 2013

Damage by Aircraft Act 1999

Act last amended: 31 March 2013

Purpose

The *Damage by Aircraft Act 1999* (the Act) provides for strict and uncapped liability for owners and operators of aircraft that cause damage to third parties on the ground within the Commonwealth's jurisdiction. This includes death, injury or damage to people and property on the ground. It applies to all aircraft, including foreign aircraft, within Australia's territory that cause damage on the ground.

The Act also allows liability to be limited under the principle of contributory negligence and defendants can seek a right of contribution from other parties who have contributed to the damage.

Separate state government legislation covers operations beyond the constitutional reach of the Commonwealth. The Act does not extend to Defence Force aircraft.

The Act came into force on the same day as the denunciation of the Convention on Damage caused by Foreign Aircraft to Third Parties on the Surface, 1952 (Rome Convention) came into force, 8 November 2000. The Act replaced the *Civil Aviation (Damage by Aircraft) Act 1958* which gave the Rome Convention force of law in Australia and provided inadequate compensation payable for damage to people and property on the ground.

A number of proposals to implement and modernise Australia's systems of air carriers' liability were set out in the Australian Government's National Aviation White Paper, released on 16 December 2009. The recent introduction of the *Aviation Legislation Amendment (Liability and Insurance) Act 2012* implemented some of these proposals by introducing for the first time limits to liability to third party damage on the ground in this Act.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

- Section 12 provides for the making of regulations. No regulations have been made or proposed.

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 2 July 2013

This page last reviewed: 2 July 2013

Infrastructure Australia Act 2008

Act last amended: 22 March 2012

Purpose

The *Infrastructure Australia Act 2008* establishes Infrastructure Australia and the Infrastructure Coordinator, and their related purposes.

Role and Responsibilities of the Minister

The roles and responsibilities of the Minister are:

- The Minister may give written directions to Infrastructure Australia about the performance of its functions.
- The Minister may have regard to any decisions by Council of Australian Governments in giving directions under subsection 1.
- Directions given by the Minister under subsection 1 must be of a general nature only.
- The Minister must not give directions about the content of any advice that may be given by Infrastructure Australia.
- Infrastructure Australia must comply with any direction given by the Minister under subsection 1.
- A direction given by the Minister under subsection 1 is not a legislative instrument.

Requirements (e.g. Reporting, Consultation etc)

- Infrastructure Australia must, as soon as practicable after the end of each financial year, prepare and give to the Minister, for presentation to the Parliament, a report on Infrastructure Australia's operations during that year.

Note: See also section 34C of the *Acts Interpretation Act 1901*, which contains extra rules about annual reports.

- Infrastructure Australia must include in the report details of any directions given to it by the Minister under paragraph 5(2)(j) or subsection 6(1) during the year.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered by

Office of the Infrastructure Coordinator

Responsible officer Michael Deegan (02 8114 1900)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

Inspector of Transport Security Act 2006

Act last amended: 26 March 2012

Purpose

The purpose of the *Inspector of Transport Security Act 2006* is to provide a framework for the Inspector of Transport Security to:

- undertake an inquiry, when directed by the Minister into:
 - a major transport security matter or an offshore security matter;
 - a pattern or series of incidents that point to a systemic failure or possible weakness of aviation or maritime transport security regulatory systems; or
 - any other transport security matter.
- undertake an inquiry, when directed by the Minister, into a major land transport security incident, subject to agreement of the relevant state or territory government; and
- report outcomes of the inquiry to the Minister in a reasonable timeframe.

Role and Responsibilities of the Minister

Receive and examine reports into a transport security or offshore security matter.

Requirements (e.g. Reporting, Consultation etc)

The Inspector of Transport Security has no 'own motion' powers and, apart from necessary administrative functions, conducts inquiries only at the direction of the Minister.

A direction by the Minister to conduct an inquiry may follow a request from the Prime Minister, another Government Minister, a Minister of a State or Territory government, or a recommendation from the Secretary of the Department.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Inspector of Transport Security Regulations 2007

Administered in the Department by

Office of the Inspector of Transport Security

Responsible Officer Dave Ellis (07 3838 9936)

This page last updated: 2 July 2012

This page last reviewed: 19 July 2013

International Air Services Commission Act 1992

Act last amended: 1 February 2012

Purpose

The *International Air Service Commission Act 1992* (the Act) established the International Air Services Commission (IASC).

The purpose of the Act is to enhance the welfare of Australians by promoting economic efficiency through competition in the provision of international air services resulting in:

- increased responsiveness by airlines to the needs of consumers, including an increased range of choices and benefits;
- Australian tourism and trade; and
- the maintenance of Australian carriers capable of competing effectively with airlines of foreign countries.

The IASC's role is to allocate international aviation capacity to Australian international carriers in accordance with the requirements of the Act and a Policy Statement given to the Commission by the Minister. The Commission may delegate to an Australian Public Service officer the Commission's powers under certain sections of the Act.

Role and Responsibilities of the Minister

Section 11 confers power on the Minister to make Policy Statements about the way the Commission is to perform its functions. These Policy Statements are disallowable instruments for the purposes of section 46A of the *Acts Interpretation Act 1901*.

Section 40 states Commission members are appointed by the Governor-General and hold office on such terms and conditions as determined by the Minister (if any) which are not provided for by the Act.

Section 44 allows the Minister to grant the Chairperson leave of absence, other than recreation leave, under such terms and conditions as to remuneration or otherwise as the Minister determines.

Requirements (e.g. Reporting, Consultation etc)

Section 53 requires the Commission to prepare and give to the Minister an Annual Report as soon as practicable after the end of each financial year. Section 53 then requires the Minister to lay a copy of the IASC's Annual Report before each House of the Parliament within 15 sitting days of that House after the Minister receives the report.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- International Air Services Commission Regulations 1992

Policy Statements

- International Air Services Commission Act 1992 - International Air Services Policy Statement No. 5

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 18 July 2012
This page last reviewed: 19 July 2013

International Interests in Mobile Equipment (Cape Town Convention) Act 2013

Act last amended: 10 July 2013

Purpose

The purpose of the Act is to facilitate Australia's accession to the Convention on International Interests in Mobile Equipment ('the Convention') and the Protocol thereto on matters specific to aircraft equipment ('the Protocol').

The Convention and Protocol provide an international legal system to protect secured creditors of aircraft objects and to reduce the risks and costs associated with financing mobile objects.

The Convention creates a uniform international legal framework to protect investors in high value mobile objects. It provides an International Register for creditors to register their security interests and thereby also attain a priority ranking (similar to the Personal Property Securities Register), and creates a set of basic remedies in the event of debtor default or insolvency.

The Protocol complements the Convention and adapts its provisions to meet the particular requirements of financing aircraft equipment. This increases the protection of creditor interests and commensurately reduces their risks, resulting in increased access to cheaper aircraft and asset financing for the Australian aviation industry.

The Act provides for the Convention and Protocol to have force of law in Australia.

The Act also provides that the Convention and Protocol to have precedence over all other laws to the extent that any inconsistency arises. A companion Act, the International Interests in Mobile Equipment (Cape Town Convention)(Consequential Amendments) Bill 2013 would make amendments to the *Air Services Act 1995*, *Civil Aviation Act 1988*, and *Personal Property Securities Act 2009* to ensure the Convention and Protocol complement and operate in harmony with other Australian laws.

Role and Responsibilities of the Minister

The Act enables the Minister to promulgate rules (s10) for carrying out or giving effect to the Convention and the Protocol. It is intended that rules will be established to confer functions upon the Civil Aviation Safety Authority in relation to the recording, removal and exercise of the Irrevocable Deregistration and Export Request Authorisation (IDERA). The IDERAs are a remedy provided under the Convention that allow for deregistration and export of an aircraft asset in the event of debtor default or insolvency.

Requirements (e.g. Reporting, Consultation etc)

The Act does not require the Department to perform any additional tasks.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Currently, there is no subordinate legislation.

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 7 August 2013
This page last reviewed: 7 August 2013

Interstate Road Transport Act 1985

Act last amended: 6 April 2009

Purpose

The *Interstate Road Transport Act 1985* (IRT Act) and *Interstate Road Transport Charge Act 1985* (Charge Act) establish a nationally uniform registration scheme and national registration charges for heavy vehicles 4.5 tonnes and over engaged solely in interstate operations. The Scheme known as the Federal Interstate Registration Scheme (FIRS) commenced in 1987 and is an alternative to state or territory registration.

By agreement, state and territory registration authorities administer FIRS on behalf of the Commonwealth. The registration charges collected by the states and territories and submitted to the Commonwealth are returned to the states and territories according to a formula relating to heavy vehicle road use. The returned funds are required to be used for road maintenance. FIRS are therefore revenue neutral for the Commonwealth.

Role and Responsibilities of the Minister

The IRT Act provides for:

- the Minister to determine the timing and amount of payments made to the states and territories (power delegated to senior departmental officers);
- persons affected by a decision of a registration authority to apply to the Minister for a review of the decision (delegated to appropriate officers in state/territory registration authorities); and
- the Minister to issue 'Determinations' relating to the operation of FIRS vehicles (delegated to senior departmental officers). For example, Determinations are issued setting out the routes a FIRS B-double vehicle may travel.

There are no powers conferred on the Minister by the Charge Act.

Requirements (e.g. Reporting, Consultation etc)

State and Territory registration authorities are required by the IRT Act to submit audited expenditure and revenue statements to the Department at the end of each financial year. These and other FIRS records are regularly audited by the Australian National Audit Office.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

The *Interstate Road Transport Regulations 1986* set out requirements for registration and operation of heavy vehicles including restricted access vehicles such as B-doubles and Higher Mass Limits vehicles.

Determinations/Instruments made under the IRT Act, relating to routes for restricted access vehicles, appointment of inspectors and other regulatory matters are made by senior departmental officers with power delegated by the Minister.

The *Interstate Road Transport Charge Regulations 2009* provide for an adjustment to the annual registration charge for vehicles registered under FIRS.

Regulations

- Interstate Road Transport Charge Regulations 2009
- Interstate Road Transport Charge Regulations 2006
- Transport and Regional Services Legislation Amendment (Application of Criminal Code) Regulations 2002 (No. 1)
- Interstate Road Transport Regulations 1986

Instruments

- Minister's Interstate Road Transport Delegation Instrument 2012 (No.1)

Determinations

- Determination of Routes for B-double Vehicles carrying Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2011 (No. 2)
- Determination of Routes for B-doubles not Operating at Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2011 (No. 1)
- Determination of Routes for B-double Vehicles carrying Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2009 (No. 2)
- Determination of Routes for B-doubles not Operating at Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2009 (No. 1)
- Interstate Road Transport Act 1985 - Determination of Amounts to be debited from the Interstate Road Transport Account (No. 1/2009)
- Determination of Routes for B-doubles Not Operating at Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2008 (No. 1)
- Interstate Road Transport Act 1985 - Determination of Amounts to be debited from the Interstate Road Transport Account (No. 1/2007)
- Determination of Routes for B-doubles Not Operating at Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2007 (No. 2)
- Determination of Routes for B-doubles Not Operating at Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2007 (No. 1)
- Determination of Routes for B-double Vehicles Carrying Higher Mass Limits under the Federal Interstate Registration Scheme (FIRS) 2007 (No. 1)

Administered in the Department by

Division	Surface Transport Policy
Branch	Surface Transport Regulation
Responsible Officer	Geoff Johnston (6274 6155)

This page last updated: 2 July 2012

This page last reviewed: 2 July 2013

Interstate Road Transport Charge Act 1985

See: *Interstate Road Transport Act 1985*

Limitation of Liability for Maritime Claims Act 1989

Act last amended: 5 November 2012

Purpose

The purpose of the *Limitation of Liability for Maritime Claims Act 1989* (LLMC Act) is to allow shipowners to limit their liability if any of their ships cause damage to a third party (eg. injury to passengers, damage to port installations).

The LLMC Act gives effect to the International Convention on Limitation of Liability for Maritime Claims, 1976, as amended, to which Australia and most of its major trading parties are party.

Under the LLMC Act, a shipowner whose ship is involved in an incident that may give rise to claims for personal injury or damage to property may apply to a State or Territory Supreme Court in Australia to have his/her liability limited to an amount which depends on the size of the ship.

Shipowners are able to limit their liability in all but the most exceptional circumstances. The only exception is if the loss, injury or damage resulted from the shipowner's personal act or omission, committed with intent to cause such loss, injury or damage, or recklessly and with knowledge that such loss, injury or damage would probably result.

Role and Responsibilities of the Minister

The Minister may, by notice published in the Gazette, declare that a country specified in the notice has ratified or acceded to the LLMC Convention, and that it will come into force for that country on the date specified in the notice, or that a country specified in a notice has denounced the Convention. The Minister has not published any such notices and is unlikely to do so.

Actions taken under the LLMC Act are matters for the parties concerned and the Courts. The Minister has no role in such proceedings.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 2 July 2013

This page last reviewed: 2 July 2013

Marine Navigation (Regulatory Functions) Levy Act 1991

Act amended as of: 1 July 2013

Purpose

These Acts impose the regulatory functions levy on sea-going ships and provide the administrative details required for the collection of the levy.

The levy is paid to the Consolidated Revenue Fund and appropriated to the Australian Maritime Safety Authority (AMSA) to cover the cost of AMSA's activities in establishing the seaworthiness of Australian ships through periodic assessment and survey, ensuring that persons on board Australian ships are appropriately qualified and that effective measures concerning navigational safety and onboard safety-related procedures are in place.

The levy also meets the costs of Port State Control inspections, that is, inspections of foreign ships calling at Australian ports. Any ships found to have serious deficiencies may be detained in port until the deficiencies are rectified.

The levy is collected on behalf of AMSA by a Collector of Customs or by an authorised person appointed by the Minister under the *Marine Navigation Levy Collection Act 1989*. A levy is payable in respect of a particular ship once only in any three month period that the ship enters an Australian port. The rate of the levy depends on the net registered tonnage of the ship.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Marine Navigation (Regulatory Functions) Levy Regulations 1992
- Marine Navigation (Regulatory Functions) Levy Collection Regulations 1991

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 19 July 2013

This page last reviewed: 19 July 2013

Marine Navigation (Regulatory Functions) Levy Collection Act 1991

See: *Marine Navigation (Regulatory Functions) Levy Act 1991*

Marine Navigation Levy Act 1989

Act last amended: 1 July 2013

See: *Marine Navigation Levy Collection Act 1989*

Purpose

These Acts impose the marine navigation levy on commercial sea-going ships of 24 metres in length and over and provide the administrative details required for the collection of the levy. The levy is paid to the Consolidated Revenue Fund and appropriated to the Australian Maritime Safety Authority (AMSA) to cover the cost of the operation and maintenance of the Commonwealth network of marine aids to navigation, which includes lighthouses, buoys and lights.

In accordance with a 1934 agreement, the Commonwealth has responsibility for aids to assist international and coastal shipping while the States have responsibility for entry into ports and harbours, inner ports and inland aids, and aids for local traffic.

The levy is collected on behalf of AMSA by a Collector of Customs or by an authorised person appointed by the Minister. A levy is payable in respect of a particular ship once only in any three month period that the ship enters an Australian port. The rate of the levy depends on the net registered tonnage of the ship.

Role and Responsibilities of the Minister

Under the *Marine Navigation Levy Collection Act 1989*, the Minister may, in writing, appoint a person to be an authorised person for the collection of the levy. The Minister may, in writing, delegate this power of appointment to an officer of the Department.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Marine Navigation Levy Regulations 1991
- Marine Navigation Levy Collection Regulations 1990

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 7 August 2013

This page last reviewed: 7 August 2013

Marine Navigation Levy Collection Act 1989

See: *Marine Navigation Levy Act 1989*

Marine Safety (Domestic Commercial Vessel) National Law Act 2012

Act last amended: 12 September 2012

Purpose

The Act introduces a new national law for the regulation of domestic commercial vessel safety and establishes the Australian Maritime Safety Authority (AMSA) as the National Marine Safety Regulator.

Role and Responsibilities of the Minister

Under the Act the Minister's responsibilities include:

- declaring or revoking a declaration relating to a corresponding state-territory law;
- consulting and agreeing with Council of Australian Government Council on regulations relating to the scope of the Act, before they are made by the Governor-General; and
- consulting and agreeing with COAG Council on the first draft regulations on accreditation, before they are made by the Governor-General.

Requirements (e.g. Reporting, Consultation etc)

The Intergovernmental Agreement on Commercial Vessel Safety Reform, which the Act implements, requires certain reporting arrangements to be fulfilled. These include:

- following the commencement of the national system, the Standing Council on Infrastructure and Transport (the Standing Council) will consider an annual report on activities of the national system for five years; and
- the National Regulator submitting on an ongoing basis, an annual budget and corporate plan to the Standing Council for approval.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Marine Safety (Domestic Commercial Vessel) National Law Regulation 2013

Marine Orders

- Marine Order 504 (Certificates of operation – national law) 2013
- Marine Order 503 (Certificates of survey – national law) 2013
- Marine Order 502 (Vessel identifiers – national law) 2013
- Marine Order 501 (Administration – national law) 2013
- Marine Order 507 (Load line certificates – national law) 2013
- Marine Order 506 (Approval of training organisations – national law) 2013
- Marine Order 505 (Certificates of competency – national law) 2013

Declaration

- Marine Safety (Domestic Commercial Vessel) National Law (Meaning of Corresponding State-Territory law) Declaration 2013

Proclamation

- Marine Safety (domestic Commercial Vessel) National Law Commencement Proclamation 2013

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leanne Kennedy (6274 7500)

Maritime Transport and Offshore Facilities Security Act 2003

Act last amended: 2 July 2013

Purpose

The purpose of this Act is to safeguard against unlawful interference with maritime transport and offshore facilities. To achieve this, the Act establishes a regulatory framework centred on the development of security assessments and plans for ports, port facilities, offshore facilities, ships and other maritime transport operations. The implementation of a security plan must make an appropriate contribution to the achievement of the maritime security outcomes, which are:

- Australia's obligations under Chapter XI-2 of the *International Convention for the Safety of Life at Sea* and the *International Ship and Port Facility Security Code*, including those with regard to the rights, freedoms and welfare of seafarers, are met;
- the vulnerability to terrorist attack of Australian ships, ports and other ships within Australia, and offshore facilities is reduced without undue disruption to trade;
- the risk that maritime transport or offshore facilities are used to facilitate terrorist or other unlawful activities is reduced; and
- security information is communicated effectively among maritime industry participants and government agencies with security responsibilities for maritime transport and offshore facilities.

Key regulatory requirements in the Act can be found in the following Parts:

- Part 2 'Maritime security levels and security directions' – outlines the application of maritime security levels. The security measures to be implemented when different maritime security levels are in force are set out in maritime security plans, ship security plans and offshore security plans. Part 2 also provides for the Secretary to give security directions in special circumstances.
- Part 3 'Maritime security plans' – details the requirement for certain maritime industry participants to have maritime security plans and to comply with their plans. The security plans must set out the security activities or measures to be undertaken when different security levels are in force. Plans are approved by the Secretary.
- Part 4 'Ship security plans and International Ship Security Certificates (ISSC) for regulated Australian ships' – requires regulated Australian ships to have, and comply with, ship security plans, and outlines the content of ship security plans. Ship security plans identify the security measures to be implemented by regulated Australian ships when different maritime security levels are in force. Plans are approved by the Secretary. Regulated Australian ships are also required to have an ISSC. Part 4 sets out the requirements for obtaining an ISSC, which is issued by the Secretary.
- Part 5 'Regulated foreign ships' – puts obligations on regulated foreign ships. These include having an ISSC and allowing a maritime security inspector to board and inspect the ship. Foreign ships are also obliged to comply with existing security levels and any security or control directions given by the Secretary to the ship.
- Part 5A 'Offshore security plans' - deals with the requirement for certain offshore industry participants to have security plans and to comply with their plans. Offshore security plans must set out the security activities or measures to be undertaken when different security levels are in force. Plans are approved by the Secretary.
- Part 5B 'ISSC for an Australian ship regulated as an offshore facility' – Requires Australian ships regulated as offshore facilities to have an ISSC. ISSC are issued by the Secretary.

- Part 5C 'Foreign ships regulated as offshore facilities' – puts obligations on regulated foreign ships. These include having an ISSC and allowing a maritime security inspector to board and inspect the ship. Part 5C also provides for the Secretary to give control directions to foreign ships regulated as offshore facilities.
- Part 6 'Maritime security zones' – outlines the powers of the Secretary to establish maritime security zones. Maritime security zones are used to subject areas within ports, on and around ships, and on and around offshore facilities to additional security requirements. Part 6 deals with port security zones, ship security zones, on-board security zones and offshore security zones.
- Part 7 'Other security measures' – imposes requirements in relation to screening and clearing weapons and prohibited items and outlines the requirements for the carriage and possession of weapons and prohibited items in maritime security zones, on board regulated Australian ships and on board ships regulated as offshore facilities.
- Part 8 'Powers of officials' – sets out the powers of maritime security inspectors, duly authorised officers, security assessment inspectors, law enforcement officers, maritime security guards and screening officers.
- Part 9 'Reporting maritime transport or offshore facility security incidents' – establishes requirements to report maritime transport or offshore facility security incidents and provides for the form and content of such reports.
- Part 10 'Information-gathering' – empowers the Secretary to collect security compliance information from maritime industry participants.
- Part 11 'Enforcement' – provides a range of enforcement options that can be used as an alternative to, or in addition to, criminal prosecution, for contraventions of the Act.
- Part 12 'Review of decisions' – outlines which decisions made by the Secretary under the Act can be reviewed by the Administrative Appeals Tribunal.
- Part 13 – 'Miscellaneous' – Contains provisions on miscellaneous matters, including the delegation and sub-delegation of the Secretary's powers, compensation, severability, and gives the Governor-General the power to make regulations under the Act.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

There are no formal requirements for reporting or consultation. The Department undertakes regular consultation with maritime industry participants and other key stakeholders

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Maritime Transport Security Regulations 2003

Security Act Notices

- Maritime Transport and Offshore Facilities Security Act 2003 Notice About How Incident Reports Are To Be Made (No. 3)

Proclamations

- Maritime Transport Security Act 2003 - Proclamation (10/03/2004)

Notices

<http://www.comlaw.gov.au/Browse/Results/ByPortfolio/Gazettes/Current/Infrastructure%20and%20Transport/1>

Administered in the Department by

Division	Office of Transport Security
Branch	Maritime, Identity and Surface Security
Responsible Officer	Christopher Swain (6274 7285)

Motor Vehicle Standards Act 1989

Act last amended: 1 February 2012

Purpose

The *Motor Vehicle Standards Act 1989* (the MVSA) establishes a number of arrangements through which road vehicles may be supplied to the market in Australia. The main purpose of the legislation is to set an acceptable level of safety, emission control and theft protection across the Australian vehicle fleet. The legislation also limits the supply of vehicles which do not fully comply with mandatory standards, whether they are imported or locally manufactured.

Role and Responsibilities of the Minister

The primary role of the Minister under the Act is to determine the National Standards for Road Vehicles. These standards are known as the Australian Design Rules (ADRs). Under the Act, manufacturers or suppliers of new road vehicles must demonstrate compliance with the ADRs in order for the Minister to issue an approval to fit an identification plate. Vehicles fitted with identification plates in accordance with an approval are permitted to be supplied to the market in Australia.

The Minister is also required to establish a register of specialist and enthusiast vehicles and guidelines for the approval of applications to place used import plates on used imported vehicles. Together, these elements establish the key components of the Registered Automotive Workshops Scheme through which the importation and supply to the market of used imported vehicles is regulated.

Through the MVSA and the Regulations, the Minister is required to make decisions on the importation of vehicles which do not comply with the national standards. A number of concessional schemes have been established under these powers and permit the limited importation of non-standard vehicles under prescribed circumstances or with Ministerial approval.

Ministerial powers, other than the power to make determinations, have been delegated to the Administrator of Vehicle Standards.

Requirements (e.g. Reporting, Consultation etc)

Before determining national standards, the Minister may consult with relevant state or territory authorities, or persons or organisations involved in the road vehicle industry, or organisations representing road vehicle users. In practice, there is an extensive consultation process for developing and amending standards, involving states and territories, industry bodies and road user groups.

The Minister must provide notification of an approval granted to place identification plates or used import plates on vehicles and specify that the approval is a matter of public record.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Motor Vehicle Standards Amendment Regulations 2005 (No. 1)
- Motor Vehicle Standards Regulations 1989

Determinations

- Vehicle Standards Determination No. 1 of 2005
- Motor Vehicle Standards (Placement of Used Import Plates) Determination 2004 (No. 1)
- Motor Vehicle Standards (Road Vehicles) Determination 2003
- Motor Vehicle Standards (Registered Automotive Workshops - Fit and Proper Persons) Determination 2002
- Motor Vehicle Standards (Procedures for Inspecting and Testing Used Imported Vehicles) Determination 2002
- Motor Vehicle Standards (Used Imported Vehicle Report) Determination 2002
- Motor Vehicle Standards (Placement of Used Import Plates) Determination 2002
- Motor Vehicle Standards (Approval to Place Used Import Plates) Determination 2002
- Australian Design Rules
- Vehicle Standard (Australian Design Rule 35/04 – Commercial Vehicle Brake Systems) 2013
- Vehicle Standard (Australian Design Rule 34/02 - Child Restraint Anchorages and Child Restraint Anchor Fittings) 2012
- Vehicle Standard (Australian Design Rule 4/05 - Seatbelts) 2012
- Vehicle Standard (Australian Design Rule - Harmonisation) 2012
- Vehicle Standard (Australian Design Rule 79/04 - Emission Control for Light Vehicles) 2011
- Vehicle Standard (Australian Design Rule 79/03 - Emission Control for Light Vehicles) 2011
- Vehicle Standard (Australian Design Rule 84/00 – Front Underrun Impact Protection) 2009
- Vehicle Standard (Australian Design Rule 35/03 – Commercial Vehicle Brake Systems) 2009
- Vehicle Standard (Australian Design Rule 31/02 - Brake Systems for Passenger Cars) 2009
- Vehicle Standard (Australian Design Rule 10/02 - Steering Column) 2008
- Vehicle Standard (Australian Design Rule 81/02 - Fuel Consumption Labelling for Light Vehicles) 2008
- Vehicle Standard (Australian Design Rule 59/00 – Standards For Omnibus Rollover Strength) 2007
- Vehicle Standard (Australian Design Rule 33/00 – Brake Systems for Motorcycles and Mopeds) 2007
- Vehicle Standard (Australian Design Rule 35/02 – Commercial Vehicle Brake Systems) 2007
- Vehicle Standard (Australian Design Rule 38/03 – Trailer Brake Systems) 2007
- Vehicle Standard (Australian Design Rule 62/02 – Mechanical Connections Between Vehicles) 2007
- Vehicle Standard (Australian Design Rule 23/02 – Passenger Car Tyres) 2007
- Vehicle Standard (Australian Design Rule 19/01 - Installation of Lighting and Light-Signalling Devices on L-Group Vehicles) 2007
- Vehicle Standard (Australian Design Rule 80/03 - Emission Control for Heavy Vehicles) 2006
- Vehicle Standard (Australian Design Rule 80/02 - Emission Control for Heavy Vehicles) 2006
- Vehicle Standard (Australian Design Rule 51/00 - Filament Lamps) 2006
- Vehicle Standard (Australian Design Rule 42/01 - General Safety Requirements) 2006
- Vehicle Standard (Australian Design Rule 42/00 - General Safety Requirements) 2006
- Vehicle Standard (Australian Design Rule 38/01 - Trailer Brake Systems) 2006
- Vehicle Standard (Australian Design Rule 38/00 - Trailer Brake Systems) 2006
- Vehicle Standard (Australian Design Rule 35/00 - Commercial Vehicle Brake Systems) 2006
- Vehicle Standard (Australian Design Rule 34/00 - Child Restraint Anchorage and Child Restraint Anchor Fittings) 2006
- Vehicle Standard (Australian Design Rule 25/00 - Anti-Theft Lock) 2006
- Vehicle Standard (Australian Design Rule 61/00 - Vehicle Marking) 2006
- Vehicle Standard (Australian Design Rule 42/03 - General Safety Requirements) 2006
- Vehicle Standard (Australian Design Rule 42/02 - General Safety Requirements) 2006

- Vehicle Standard (Australian Design Rule 62/00 - Mechanical Connections Between Vehicles) 2006
- Vehicle Standard (Australian Design Rule 43/00 - Vehicle Configuration and Marking) 2006
- Vehicle Standard (Australian Design Rule 44/00 - Specific Purpose Vehicle Requirements) 2006
- Vehicle Standard (Australian Design Rule 49/00 - Front and Rear Position (Side) Lamps, Stop Lamps and End Outline Marker Lamps) 2006
- Vehicle Standard (Australian Design Rule 5/01 - Anchorages for Seat Belts and Child Restraints) 2006
- Vehicle Standard (Australian Design Rule 23/00 - Passenger Car Tyres) 2006
- Vehicle Standard (Australian Design Rule 19/00 - Installation of Lighting and Light-Signalling Devices on L-Group Vehicles) 2006
- Vehicle Standard (Australian Design Rule 18/02 - Instrumentation) 2006
- Vehicle Standard (Australian Design Rule 18/01 - Instrumentation) 2006
- Vehicle Standard (Australian Design Rule 18/00 - Instrumentation) 2006
- Vehicle Standard (Australian Design Rule 14/02 - Rear Vision Mirrors) 2006
- Vehicle Standard (Australian Design Rule 25/02 - Anti-Theft Lock) 2006
- Vehicle Standard (Australian Design Rule 82/00 - Engine Immobilisers) 2006
- Vehicle Standard (Australian Design Rule 8/00 - Safety Glazing Material) 2006
- Vehicle Standard (Australian Design Rule 61/01 - Vehicle Marking) 2006
- Vehicle Standard (Australian Design Rule 78/00 - Gas Discharge Light Sources) 2006
- Vehicle Standard (Australian Design Rule 5/00 - Anchorages for Seat Belts and Child Restraints) 2006
- Vehicle Standard (Australian Design Rule 5/03 - Anchorages for Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 5/02 - Anchorages for Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 54/00 - Headlamps for Mopeds) 2006
- Vehicle Standard (Australian Design Rule 45/00 - Lighting and Light-Signalling Devices not Covered by ECE) 2006
- Vehicle Standard (Australian Design Rule 44/01 - Specific Purpose Vehicle Requirements) 2006
- Vehicle Standard (Australian Design Rule 43/03 - Vehicle Configuration and Dimensions) 2006
- Vehicle Standard (Australian Design Rule 43/02 - Vehicle Configuration and Dimensions) 2006
- Vehicle Standard (Australian Design Rule 43/01 - Vehicle Configuration and Marking) 2006
- Vehicle Standard (Australian Design Rule 25/01 - Anti-Theft Lock) 2006
- Vehicle Standard (Australian Design Rule 3/01 - Seat Anchorages) 2006
- Vehicle Standard (Australian Design Rule 3/00 - Seat Anchorages) 2006
- Vehicle Standard (Australian Design Rule 4/02 - Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 4/01 - Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 4/00 - Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 14/01 - Rear Vision Mirrors) 2006
- Vehicle Standard (Australian Design Rule 14/00 - Rear Vision Mirrors) 2006
- Vehicle Standard (Australian Design Rule 19/01 - Installation of Lighting and Light-Signalling Devices on L-Group Vehicles) 2006
- Vehicle Standard (Australian Design Rule 10/00 - Steering Column) 2006
- Vehicle Standard (Australian Design Rule 46/00 - Headlamps) 2006
- Vehicle Standard (Australian Design Rule 53/00 - Front and Rear Position Lamps, Stop Lamps, Direction Indicators and Rear Registration Plate Lamps for L-Group Vehicles) 2006
- Vehicle Standard (Australian Design Rule 52/00 - Rear Fog Lamps) 2006

- Vehicle Standard (Australian Design Rule 57/00 - Special Requirements for L-Group Vehicles) 2006
- Vehicle Standard (Australian Design Rule 55/00 - Headlamps for Motor Cycles) 2006
- Vehicle Standard (Australian Design Rule 60/00 - Centre High Mounted Stop Lamp) 2006
- Vehicle Standard (Australian Design Rule 50/00 - Front Fog Lamps) 2006
- Vehicle Standard (Australian Design Rule 77/00 - Gas Discharge Headlamps) 2006
- Vehicle Standard (Australian Design Rule 76/00 - Daytime Running Lamps) 2006
- Vehicle Standard (Australian Design Rule 75/00 - Headlamp Cleaners) 2006
- Vehicle Standard (Australian Design Rule 74/00 - Side Marker Lamps) 2006
- Vehicle Standard (Australian Design Rule 67/00 - Installation of Lighting and Light Signalling Devices on Three-Wheeled Vehicles) 2006
- Vehicle Standard (Australian Design Rule 66/00 - Seat Strength, Seat Anchorage Strength and Padding in Omnibuses) 2006
- Vehicle Standard (Australian Design Rule 65/00 - Maximum Road Speed Limiting for Heavy Goods Vehicles and Heavy Omnibuses) 2006
- Vehicle Standard (Australian Design Rule 64/00 - Heavy Goods Vehicles Designed for Use in Road Trains and B-Doubles) 2006
- Vehicle Standard (Australian Design Rule 63/00 - Trailers Designed for Use in Road Trains) 2006
- Motor Vehicle Standards (Used Imported Vehicle Report) Determination 2006 (No. 1)
- Motor Vehicle Standards (Approval to Place Used Import Plates) Guidelines 2006 (No. 1)
- Vehicle Standard (Australian Design Rule 11/00 - Internal Sun Visors) 2006
- Vehicle Standard (Australian Design Rule 21/00 - Instrument Panel) 2006
- Vehicle Standard (Australian Design Rule 10/01 - Steering Column) 2006
- Vehicle Standard (Australian Design Rule 33/00 - Brake Systems for Motorcycles and Mopeds) 2006
- Vehicle Standard (Australian Design Rule 23/01 - Passenger Car Tyres) 2006
- Vehicle Standard (Australian Design Rule 4/04 - Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 3/03 - Seats and Seat Anchorages) 2006
- Vehicle Standard (Australian Design Rule 29/00 - Side Door Strength) 2006
- Vehicle Standard (Australian Design Rule 18/03 - Instrumentation) 2006
- Vehicle Standard (Australian Design Rule 2/01 - Side Door Latches and Hinges) 2006
- Vehicle Standard (Australian Design Rule 2/00 - Side Door Latches and Hinges) 2006
- Vehicle Standard (Australian Design Rule 22/00 - Head Restraints) 2006
- Vehicle Standard (Australian Design Rule 62/01 - Mechanical Connections Between Vehicles) 2006
- Vehicle Standard (Australian Design Rule 69/00 - Full Frontal Impact Occupant Protection) 2006
- Vehicle Standard (Australian Design Rule 68/00 - Occupant Impact Protection in Buses) 2006
- Vehicle Standard (Australian Design Rule 5/05 - Anchorages for Seatbelts) 2006
- Vehicle Standard (Australian Design Rule 58/00 - Requirements for Omnibuses Designed for Hire and Reward) 2006
- Vehicle Standard (Australian Design Rule 45/01 - Lighting and Light Signalling Devices not Covered by ECE Regulations) 2006
- Vehicle Standard (Australian Design Rule 48/00 - Devices for Illumination of Rear Registration Plates) 2006
- Vehicle Standard (Australian Design Rule 47/00 - Retroreflectors) 2006
- Vehicle Standard (Australian Design Rule 59/00 - Omnibus Rollover Strength) 2006
- Vehicle Standard (Australian Design Rule 44/02 - Specific Purpose Vehicle Requirements) 2006

- Vehicle Standard (Australian Design Rule 43/04 - Vehicle Configuration and Dimensions) 2006
- Vehicle Standard (Australian Design Rule 28/01 - External Noise of Motor Vehicles) 2006
- Vehicle Standard (Australian Design Rule 30/01 - Smoke Emission Control for Diesel Vehicles) 2006
- Vehicle Standard (Australian Design Rule 81/01 - Fuel Consumption Labelling for Light Vehicles) 2005
- Vehicle Standard (Australian Design Rule 79/02 - Emission Control for Light Vehicles) 2005
- Vehicle Standard (Australian Design Rule 79/01 - Emission Control for Light Vehicles) 2005
- Vehicle Standard (Australian Design Rule 79/00 - Emission Control for Light Vehicles) 2005
- Vehicle Standard (Australian Design Rule 61/02 - Vehicle Marking) 2005
- Vehicle Standard (Australian Design Rule 73/00 - Offset Frontal Impact Occupant Protection) 2005
- Vehicle Standard (Australian Design Rule 72/00 - Dynamic Side Impact Occupant Protection) 2005
- Vehicle Standard (Australian Design Rule 42/04 - General Safety Requirements) 2005
- Vehicle Standard (Australian Design Rule 34/01 - Child Restraint Anchorages and Child Restraint Anchor Fittings) 2005
- Vehicle Standard (Australian Design Rule 35/01 - Commercial Vehicle Brake Systems) 2005
- Vehicle Standard (Australian Design Rule 4/03 - Seatbelts) 2005
- Vehicle Standard (Australian Design Rule 38/02 - Trailer Brake Systems) 2005
- Vehicle Standard (Australian Design Rule 3/02 - Seats and Seat Anchorages) 2005
- Vehicle Standard (Australian Design Rule 31/01 - Brake Systems for Passenger Cars) 2005
- Vehicle Standard (Australian Design Rule 19/02 - Installation of Lighting and Light Signalling Devices on L-Group Vehicles) 2005
- Vehicle Standard (Australian Design Rule 13/00 - Installation of Lighting and Light Signalling Devices on other than L-Group Vehicles) 2005
- Vehicle Standard (Australian Design Rule - Definitions and Vehicle Categories) 2005
- Vehicle Standard (Australian Design Rule 1/00 - Reversing Lamps) 2005
- Vehicle Standard (Australian Design Rule 6/00 - Direction Indicators) 2005
- Vehicle Standard (Australian Design Rule 5/04 - Anchorages for Seatbelts) 2005
- Vehicle Standard (Australian Design Rule 8/01 - Safety Glazing Material) 2005
- Vehicle Standard (Australian Design Rule 83/00 - External Noise) 2005
- Vehicle Standard (Australian Design Rule 80/01 - Emission Control for Heavy Vehicles) 2005

Administered in the Department by

Division	Surface Transport Policy
Branch	Vehicle Safety Standards
Responsible Officer	Robert Hogan (6274 7266)

This page last updated: 14 August 2013
This page last reviewed: 14 August 2013

Nation Building Program (National Land Transport) Act 2009

Act last amended: 7 July 2009

Purpose

The purpose of the Act is to assist national and regional economic and social development by the provision of Commonwealth funding aimed at improving the performance of land transport infrastructure.

Funding may be provided for:

- road and rail projects on the National Land Transport Network (National Projects);
- research, planning and investigation of matters relating to the National Network (Transport Development and Innovation Projects);
- land transport research entities;
- road and rail projects on existing or proposed roads that are not on the National Network (Off Network)
- road safety improvements at road sites that have or are likely to contribute to serious crashes or deaths (Black Spot Projects);
- Local Councils and unincorporated areas under the Roads to Recovery Program.

Role and Responsibilities of the Minister

The Minister must, in writing, determine a National Land Transport Network. The Minister may also vary the Network.

The Minister may approve projects as National Projects, Off Network Projects etc if the Minister is satisfied that, in accordance with the Act, the projects are eligible for approval and the Minister considers that it is appropriate to approve the projects.

The Minister may approve the provision of funding for approved projects and organisations.

The Minister may determine conditions that apply to payments made under the Act and vary or revoke project and funding approvals.

Requirements (e.g. Reporting, Consultation etc)

The states are to provide monthly reports on their expenditure on projects receiving funding under the Act and the progress on those projects.

The states and other organisations receiving funding under the Act are required to provide statements of expenditure each year and verification of the expenditure statement by the State Auditor-General (or a qualified accountant in the case of other recipients).

The Minister is to provide a report to each of House of Parliament on the operation of the Act during the financial year, as soon as practicable after June 30 each year.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Determinations

- AusLink (National Land Transport) Act 2005 - Determination of the AusLink Roads to Recovery List pursuant to section 87 of the Act - Instrument No. 2009/1
- AusLink (National Land Transport) Act National Land Transport Network Determination 2005 (No. 1)

- AusLink (National Land Transport) Act 2005 - Determination of the AusLink Roads to Recovery List pursuant to section 87 of the Act
- Nation Building Program (National Land Transport) Act 2009 - Determination of Conditions Applying to Payments under Part 8

Proclamation

- AusLink (National Land Transport) Act 2005 - Proclamation

Administered in the Department by

Division	Nation Building-Infrastructure Investment
Branch	North West Roads
Responsible Officer	Fiona Carrick (6274 6607)

This page last updated: 2 July 2012

This page last reviewed: 2 November 2012

National Transport Commission Act 2003

Act last amended: 27 March 2012

Purpose

The purpose of the *National Transport Commission Act 2003* (NTC Act) is to establish the National Transport Commission (NTC) and to provide a mechanism for the making of regulations in accordance with the Inter-Governmental Agreement for Regulatory and Operational Reform in Road, Rail and Intermodal Transport (IGA).

The NTC's membership is made up of five Ordinary Members appointed by the Commonwealth Minister and a Chief Executive Officer making six members in total.

The NTC is an independent Commonwealth authority for the purposes of the *Commonwealth Authorities and Companies Act 1997* (CAC Act). It has responsibility for improving the productivity, safety and environmental performance of Australia's road, rail and intermodal transport system. The NTC also plays a role in coordinating, monitoring and maintaining the implementation of reforms approved by Commonwealth, State and Territory Transport Ministers.

The NTC Act, with its underpinning IGA, provides a mechanism for setting out model legislation and other instruments in the regulations. The states and territories, and the Commonwealth where appropriate, may then either reference or enact the substance of the model legislation in their own law thereby establishing and maintaining a nationally agreed regulatory framework.

The NTC provides for increased regulatory uniformity between the States and Territories and encourages a coordinated approach to nationally agreed reform initiatives that improve the efficiency, safety and environmental performance of the land transport industry.

Role and Responsibilities of the Minister

In accordance with the IGA the Commonwealth Minister appoints ordinary (part-time) members of the Commission on the nomination of the Australian Transport Council (ATC). In 2011, the ATC is to cease and its functions absorbed into the Standing Council on Transport and Infrastructure under the Council of Australian Governments' new ministerial council arrangements.

The Minister is also responsible for tabling the NTC Annual Report.

Requirements (e.g. Reporting, Consultation etc)

The NTC is required to prepare an Annual Report in accordance with the provisions of the CAC Act. The NTC is also required under section 23 of the NTC Act to prepare draft Strategic Plans for consideration by the ATC. The NTC is also required to provide such plans as directed by the ATC.

In response to the 2009 NTC review, changes commenced on 1 July 2011 to the NTC Act that ensure that the NTC's governance is fully in accordance with the CAC Act and also subject to:

- enforceable conduct rules for the NTC's Commissioners and senior managers;
- strengthened provisions on the content of, and accountability to, the strategic plan;
- keeping the Minister informed on operations and significant events (in addition to annual reporting) and providing other reports/information as required; and
- the Commonwealth Finance Minister's policies for Commonwealth authorities (e.g. reporting, financial, protective security).

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- National Transport Commission (Model Amendments to the National Driver Licensing Scheme (Supporting Principles) - Package No. 1) Regulations 2009
- National Transport Commission (Model Amendments Regulations: Heavy Vehicles Registration - Package No. 1) Regulations 2009
- National Transport Commission (Model Amendments Regulations: Australian Road Rules – Package No. 8) Regulations 2009
- National Transport Commission (Model Law on Engine Brake Noise Limits) Regulations 2009
- National Transport Commission (Model Amendments Regulations 2008 (Twin Steer Mass and Loading Limits)) Regulations 2009
- National Transport Commission (Model Amendments Regulations: Australian Vehicle Standards Rules - Package No. 6) Regulations 2009
- National Transport Commission (Model Amendments Regulations: Australian Road Rules – Package No. 5 – Seatbelts) Regulations 2009
- National Transport Commission (Model Amendments Regulations: Australian Road Rules – Package No. 5 – General) Regulations 2009
- National Transport Commission (Model Amendments Act: Heavy Vehicle Driver Fatigue – Package No. 4) Regulations 2009
- National Transport Commission (Model Amendments Act: Heavy Vehicle Driver Fatigue – Package No. 3) Regulations 2009
- National Transport Commission (Model Amendments Act: Heavy Vehicle Driver Fatigue – Package No. 2) Regulations 2009
- National Transport Commission (Model Amendments: Transport of Dangerous Goods by Road or Rail - Package No. 1) Regulations 2009
- National Transport Commission (Model Rail Safety (Amendment No. 2) Bill) Regulations 2008
- National Transport Commission (Model Amendments Regulations: Australian Road Rules - Package No. 6) Regulations 2008
- National Transport Commission (Road Transport Legislation - Australian Road Rules) Amendment Regulations 2008 (No. 3)
- National Transport Commission (Road Transport Legislation - Australian Road Rules) Amendment Regulations 2008 (No. 2)
- National Transport Commission (Model Amendments Regulations: Australian Road Rules - Package No. 7) Regulations 2008
- National Transport Commission (Model Amendments Act: Heavy Vehicle Driver Fatigue – Package No. 1) Regulations 2008
- National Transport Commission (Model Act on Heavy Vehicle Speeding Compliance) Regulations 2008
- National Transport Commission (Model Heavy Vehicle Charges Act) Regulations 2008
- National Transport Commission (Model Rail Safety (Amendment No. 1) Bill) Regulations 2008
- National Transport Commission (Model Rail Safety Regulations) Regulations 2007
- National Transport Commission (Model Legislation - Transport of Dangerous Goods by Road or Rail) Regulations 2007
- National Transport Commission (Model Legislation - Heavy Vehicle Driver Fatigue) Regulations 2007
- National Transport Commission (Model Legislation - Rail Safety Bill) Regulations 2006
- National Transport Commission (Road Transport Legislation - Compliance and Enforcement Regulations) Regulations 2006

- National Transport Commission (Model Legislation - Intelligent Access Program) Regulations 2006
- National Transport Commission (Road Transport Legislation – Dangerous Goods Act) Regulations 2006
- National Transport Commission (Road Transport Legislation – Compliance and Enforcement Bill) Regulations 2006
- National Transport Commission (Road Transport Legislation - Australian Road Rules) Regulations 2006
- National Transport Commission (Road Transport Legislation – Alternative Compliance Schemes) Regulations 2006
- National Transport Commission (Road Transport Legislation – Road Transport Charges Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Road Transport Charges Act) Regulations 2006
- National Transport Commission (Road Transport Legislation – Restricted Access Vehicles Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Oversize and Overmass Vehicles Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Mass and Loading Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Higher Mass Limits) Regulations 2006
- National Transport Commission (Road Transport Legislation – Heavy Vehicle Standards Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Heavy Vehicles Registration Act) Regulations 2006
- National Transport Commission (Road Transport Legislation – Driving Hours Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Driver Licensing) Regulations 2006
- National Transport Commission (Road Transport Legislation – Dangerous Goods Regulations) Regulations 2006
- National Transport Commission (Road Transport Legislation – Vehicle Standards) Regulations 2006
- National Transport Commission (Road Transport Legislation – Vehicles and Traffic Act) Regulations 2006

Proclamation

- National Transport Commission Act 2003 - Proclamation (20/11/2003)

Administered in the Department by

Division	Surface Transport Policy
Branch	Land Transport Productivity
Responsible Officer	Andrew Hyles (6274 6073)

This page last updated: 2 July 2012

This page last reviewed: 6 November 2012

Navigation Act 2012

Act last amended: 13 September 2012

Purpose

The *Navigation Act 2012* is an “Act relating to maritime safety and the prevention of pollution of the marine environment, and for related purposes”. It provides the legislative basis for many of the Commonwealth’s responsibilities for maritime matters including the regulation of international ship and seafarer safety, shipping aspects of protecting the marine environment and the actions of seafarers in Australian waters. It also gives effect to the relevant international conventions to which Australia is a signatory.

The Bill modernises, streamlines and clarifies the existing legislation to ensure that it reflects contemporary maritime industry practice, and has the flexibility to respond to changes in the maritime environment. The *Navigation Act 2012* replaces the former 100 year old *Navigation Act 1912* with a contemporary legislative framework for maritime safety regulation. It also incorporates the provisions of the former *Lighthouses Act 1911*.

Role and Responsibilities of the Minister

The Navigation Bill 2012 provides the Minister or AMSA the power to exempt vessels from application or specified provision of the Act.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Navigation Regulation 2013

Marine Orders

- Marine Order 63 (MASTREP) 2013
- Marine Order 11 (Living and working conditions on vessels) 2013
- Marine Order 4 (Transitional modifications) 2013
- Marine Order 2 (Australian International Shipping Register) 2013

Proclamations

- Navigation Commencement Proclamation 2013

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leanne Kennedy (6274 7500)

This page last updated: 9 August 2013

This page last reviewed: 9 August 2013

Port Statistics Act 1977

Act last amended: 27 December 2011

Purpose

This Act provides for the collection of certain statistics relating to the loading and unloading of cargo at Australian ports, and the movement of ships into, from or within Australian ports. The Act specifically allows for the collection of information relating to employees involved in the stevedoring of such ships.

While the Act enables the monitoring of waterfront productivity, the Act is not currently used as the basis of the Commonwealth's current waterfront performance monitoring program as conducted by the Bureau of Infrastructure, Transport and Regional Economics (BITRE). Instead, the Commonwealth has relied on the stevedoring operators and port authorities' good will in supplying the data voluntarily. However, knowledge by the industry that the BITRE has authority under the Act to collect the data has been helpful in getting the industry's cooperation.

Role and Responsibilities of the Minister

The primary responsibility of administering the Act falls to the Secretary, with the Act referring to the Minister's role in only two instances.

The Minister may exempt an authorised officer from the secrecy provisions of the Act to allow the communication of the affairs of any other person acquired under the provisions of the Act. The Minister may also enter into arrangements with the states to allow the delegation of the Secretary's powers under the Act.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Policy and Research
Branch	Bureau of Infrastructure, Transport and Regional Economics
Responsible Officer	Godfrey Lubulwa (6274 7312)

This page last updated: 2 July 2012

This page last reviewed: 5 November 2012

Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008

Act last amended: 27 December 2011

Purpose

The main purpose of the Act is to establish a liability and compensation regime for pollution damage in Australian territory or Australia's exclusive economic zone caused by spills of fuel oil from ships other than oil tankers.

The Act provides that owners of ships other than oil tankers are strictly liable for damage resulting from a spill of fuel oil. Such ships with a gross tonnage in excess of 1,000 are required to be insured to provide compensation for damage resulting from a spill of fuel oil.

Shipowners are able to limit their liability in accordance with the size of the ship.

Persons or organisations which provide assistance following a spill of fuel oil whose actions inadvertently lead to an increase in pollution damage will not be liable to pay damages if they are acting reasonably and in good faith.

Role and Responsibilities of the Minister

The Minister may:

- in the case of a ship owned by the Commonwealth or by a state or territory certify that the ship is owned by the Commonwealth, a state or a territory, as the case may be, and that the Commonwealth, state or territory, respectively, will meet liabilities for pollution damage resulting from a spill of fuel oil from the ship.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Regulations 2009

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 7 August 2013

This page last reviewed: 7 August 2013

Protection of the Sea (Civil Liability) Act 1981

Act last amended: 3 July 2013

Purpose

The main purpose of the Act is to provide a liability and compensation regime for pollution damage in Australian territory, territorial sea or exclusive economic zone caused by oil spills from oil tankers.

The Act requires oil tankers carrying over 2,000 tons of oil in bulk as cargo to be insured to provide compensation for damage resulting from an oil spill. In addition, all ships (except steam-powered ships) of 400 gross tons and over are required to be insured to cover their liabilities arising from pollution damage. This latter requirement is aimed at providing compensation for pollution damage caused by chemicals carried on a ship. A ship at an Australian port which is not carrying evidence of insurance may be detained until evidence of insurance is provided.

In all cases, shipowners are able to limit their liability in accordance with relevant international conventions. Liability limits increase with the size of the ship.

The Act also provides that the Australian Maritime Safety Authority may recover from the shipowner any expenses incurred in preventing, or reducing the effects of, pollution damage from a ship.

Role and Responsibilities of the Minister

The Minister may:

- by notice published in the Gazette, declare that, for the purpose of the Act, a country or territory is a country or territory to which the International Convention for Civil Liability for Oil Pollution Damage applies;
- issue a certificate to provide proof of insurance if the Minister is satisfied that the shipowner has insurance or other financial security sufficient to cover the limits of liability;
- in specified circumstances, extend an insurance certificate for up to one month or cancel an insurance certificate; and
- where a ship is owned by the Commonwealth or by a state, certify that the Commonwealth or state responsible will meet any liability for pollution damage up to the applicable limits.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Protection of the Sea (Civil Liability) Regulations 1983
- Protection of the Sea (Civil Liability) (Registration of Foreign Judgements) Regulations
- Regulation 4 provides that a guarantor approved by the Minister may guarantee a fund representing a shipowner's liability.

Administered in the Department by

Division	Surface Transport policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 2 July 2012

This page last reviewed: 5 November 2012

Protection of the Sea (Harmful Anti-fouling Systems) Act 2006

Act last amended: 3 July 2013

Purpose

The purpose of this Act is to protect the marine environment and human health from the adverse effects of anti-fouling systems on ships. Since the commencement of the Act (17 September 2008), the application of organotin compounds which act as biocides in anti-fouling systems has been banned to ships in Australian ports and to Australian ships world-wide. Further, all ships entering Australian ports, and all Australian ships entering ports anywhere, are banned from having such compounds on their hulls or external surfaces, or are required to have a coating that forms a barrier to such compounds leaching from any underlying non-compliant anti-fouling system.

Role and Responsibilities of the Minister

The Minister may issue a certificate stating that a document set out in, or annexed to, the certificate sets out the terms of the International Convention on the Control of Harmful Anti-fouling Systems on Ships.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Marine Orders

- Marine Order - Part 1: Administration, Issue 2
- Marine Orders - Part 98: Marine Pollution - Anti-fouling Systems, Issue 1

Proclamation

- Protection of the Sea (Harmful Anti-fouling Systems) Act 2006 – Proclamation

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Graham Evans (6274 6731)

This page last updated: 7 August 2013

This page last reviewed: 7 August 2013

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds– Customs) Act 1993

See:

Protection of the Sea (Oil Pollution Compensation Funds Act) 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – Excise) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – General) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds–Excise) Act 1993

See:

Protection of the Sea (Oil Pollution Compensation Funds Act) 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – Customs) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – General) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds–General) Act 1993

See:

Protection of the Sea (Oil Pollution Compensation Funds Act) 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – Customs) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – Excise) Act 1993

Protection of the Sea (Oil Pollution Compensation Funds) Act 1993

Act last amended: 9 November 2012

See:

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – Customs) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – Excise) Act 1993

Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds – General) Act 1993

Purpose

The *Protection of the Sea (Oil Pollution Compensation Fund) Act 1993* applies to pollution damage within Australian territory (including the territorial sea) and exclusive economic zone, and also applies to preventive measures taken to prevent or minimise pollution damage where the pollution damage is caused by an oil spill from an oil tanker.

The Act provides for the payment by the tanker owner of compensation for damage where the amount of compensation available under the *Protection of the Sea (Civil Liability) Act 1981* is inadequate. This will generally be because the damage exceeds the tanker owner's liability limit under that Act or because the shipowner is not insured or is otherwise unable to meet his or her financial obligations.

Compensation will then be payable by the International Oil Pollution Compensation (IOPC) Fund up to an aggregate limit (tanker owner and IOPC Fund) of approximately \$340 million. If the amount of compensation still does not cover the total amount of damages, further compensation, up to an aggregate limit (tanker owner, IOPC Fund and Supplementary Fund) of approximately \$1,260 million is payable from the Supplementary Fund.

The IOPC Fund and Supplementary Fund are financed by annual levies imposed on companies which receive by sea more than 150,000 tonnes of oil in a calendar year. The amount of the annual levy varies from year to year depending on estimates of compensation to be paid in the following year. In some years, no levy is imposed.

The Act ensures that total compensation of up to approximately \$400 million is available for any one pollution incident.

The supporting Acts are:

- *Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds— Customs) Act 1993* which imposes contributions where oil is imported into Australia from a place outside Australia;
- *Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds— Excise) Act 1993* which imposes contributions where oil is moved by sea from one place in Australia to another place in Australia; and
- *Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds— General) Act 1993* which imposes contributions where the contributions appear to be duties of customs or duties of excise but a court rules that they are neither.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Protection of the Sea (Supplementary Fund) Regulations 2009
- Protection of the Sea (1992 Fund) Regulations 1994

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 2 July 2012

This page last reviewed: 5 November 2012

Protection of the Sea (Powers of Intervention) Act 1981

Act last amended: 4 July 2013

Purpose

This Act allows the Australian Maritime Safety Authority (AMSA) to take action to prevent pollution of any Australian waters, any part of the Australian coast or an Australian reef. The types of intervention action that can be taken include:

- move a ship or a part of a ship to another place;
- remove cargo from a ship;
- sink or destroy a ship or part of a ship;
- sink, destroy or discharge into the sea any part of a ship's cargo; and
- to take over control of a ship or part of a ship.

Intervention action very rarely occurs. On two occasions when it has occurred, a ship which went aground was required to arrange transfer of its fuel to another ship. On another occasion, a ship whose engine had broken down was required to arrange a tow so that it would not go aground.

Before intervention action is taken in respect of a ship registered in a country other than Australia, AMSA is required to consult with the country in which the ship is registered.

Role and Responsibilities of the Minister

AMSA may not exercise its powers to sink or destroy a ship or part of a ship without the approval of the Minister.

Requirements (e.g. Reporting, Consultation etc)

Before intervention action is taken in respect of a ship registered in a country other than Australia, AMSA is required to consult with the country in which the ship is registered.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Protection of the Sea (Powers of Intervention) Regulations 1983

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leanne Kennedy (6274 7500)

This page last updated: 7 August 2013

This page last reviewed: 7 August 2013

Protection of the Sea (Prevention of Pollution from Ships) Act 1983

Act last amended: 4 July 2013

Purpose

This Act gives effect in Australia to the operational provisions of the International Convention for the Prevention of Pollution from Ships. The Act regulates under strict conditions and in some cases, prohibits the discharge or disposal from ships of:

- oil or oily mixtures;
- noxious substances;
- packaged harmful substances;
- sewage; and
- garbage.

The Act also includes measures to reduce air pollution by ships.

The *Maritime Legislation Amendment Act 2012* amends this Act including requirements to:

- restrict the discharge of sewage from passenger ships in special areas;
- revise requirements relating to the disposal of garbage at sea;
- make mandatory the Energy Efficiency Design Index for new ships of 400 gross tonnage and above, built on or after 1 January 2013 for international trade; and
- make mandatory the Ship Energy Efficiency Management Plan from the date for all ships of 400 gross tonnage and above that are engaged in international trade.

The *Maritime Legislation Amendment Act 2012* commenced on Royal Assent on 25 September 2012.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Protection of the Sea (Prevention of Pollution from Ships) (Orders) Regulations 1994

Marine Orders

- Part 1: Administration, Issue 2
- Part 91: Marine Pollution Prevention - Oil
- Part 93: Marine Pollution Prevention - Noxious Liquid Substances
- Part 94: Marine Pollution Prevention - Packaged Harmful Substances
- Part 95: Marine Pollution Prevention - Garbage
- Part 96: Marine Pollution Prevention - Sewage
- Part 97: Marine Pollution Prevention - Air Pollution
- Section 33 provides for the making of regulations by the Governor-General
- Section 34 empowers AMSA to make Marine Orders in respect of matters for which regulations may be made, other than the imposition of penalties. Similar to regulations,

Marine Orders are legislative instruments for purposes of the *Legislative Instruments Act 2003*.

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Graham Evans (6274 6731)

This page last updated: 9 August 2013
This page last reviewed: 9 August 2013

Protection of the Sea (Shipping Levy Collection) Act 1981

See: *Protection of the Sea (Shipping Levy) Act 1981*

Protection of the Sea (Shipping Levy) Act 1981

Act last amended: 5 October 2005

See: *Protection of the Sea (Shipping Levy Collection) Act 1981*

Purpose

These Acts impose a levy on commercial ships of 24 metres in length and over in Australian ports and which have onboard more than 10 tonnes of oil and provide the administrative details required for the collection of the levy. The levy is paid to the Australian Maritime Safety Authority (AMSA) to fund the National Plan to Combat Pollution of the Sea by Oil and other Noxious and Hazardous Substances.

The National Plan is a national integrated Government and industry organisational framework enabling effective response to marine pollution incidents. AMSA manages the National Plan, working with state and the Northern Territory governments, the shipping, oil, exploration and chemical industries, emergency services and fire brigades to maximise Australia's marine pollution response capability.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Protection of the Sea (Shipping Levy) Regulations 1982

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 5 November 2012

This page last reviewed: 2 July 2013

Qantas Sale Act 1992, Part 3, sections 7 to 13 inclusive

Act last amended: 20 December 2012

The *Qantas Sale Act 1992* (the Act) provided for the sale of Qantas, allowed certain financial transactions by the Commonwealth to facilitate the sale and imposed conditions on the articles of association of Qantas.

The Minister for Finance and Deregulation is responsible for the administration of the Act, except for sections 14, 16 and 17 which are administered by the Treasurer and sections 7-13 which are administered by the Minister.

Purpose (sections 7 – 13)

To require Qantas, through its articles of association, to impose restrictions on foreign ownership of shares in Qantas and to ensure that the airline is effectively controlled by Australians.

The Act contains three restrictions on the foreign ownership of Qantas:

- total foreign ownership is limited to 49 percent;
- total ownership by foreign airlines is limited to 35 percent; and
- ownership by a foreign individual (including companies) is limited to 25 percent.

The Act also provides additional provisions to ensure that the Australian character and control of Qantas is maintained, including that:

- its principal operational centre remains in Australia;
- its head office remains in Australia;
- at least two-thirds of its directors are Australian citizens;
- its chairperson is Australian;
- the name 'Qantas' remains; and
- it not take any action to be incorporated outside Australia.

Role and Responsibilities of the Minister

The Act obligates Qantas to monitor its level of foreign ownership and control, to maintain a register of foreign shareholdings and to order foreign shareholders to sell their holdings if the airline breaches foreign ownership restrictions.

The Minister may request in writing a copy of Qantas' register of foreign shareholdings. The Minister may also apply for a court injunction to remedy a breach of the Act.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by (Sections 7-13 of the Act only)

Division	Aviation and Airports
Branch	Aviation Industry Policy
Responsible Officer	Stephen Borthwick (6274 7739)

This page last updated: 21 December 2012

This page last reviewed: 2 July 2013

Railway Agreement (Western Australia) Act 1961

Act last amended: 26 May 2004

Purpose

To approve Agreements between the Commonwealth and Western Australia under which the Commonwealth would provide financial assistance to the state for the purpose of carrying out certain railway work.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Under the Agreements, one approved in 1961 and the other in 1971, the Commonwealth provided a loan of some \$104m to Western Australia for standardising the Fremantle-Perth-Kalgoorlie line.

The Department's role is to ensure that Western Australia makes the correct loan repayments and interest payments according to the schedule calculated by the Department of Finance and Deregulation. The final repayment is not due until 2041.

The loan repayments and interest payments are reported annually in the Portfolio Budget Statements under "Administered Receipts".

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Nation Building-Infrastructure Investment
Branch	Rail and Intermodal
Responsible Officer	Fiona Carrick (6274 6607)

This page last updated: 2 July 2012

This page last reviewed: 2 July 2013

Railway Standardization (New South Wales and Victoria) Agreement Act 1958

Act last amended: 10 October 1958

Purpose

To approve an Agreement between the Commonwealth, New South Wales (NSW) and Victoria regarding the standardization of a railway between Sydney and Melbourne.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Under the Agreement, the Commonwealth provided funding for the total cost of the construction of a standard gauge railway between Albury and Melbourne. The project was completed in 1962. NSW and Victoria are each required to repay 15 per cent of the total cost, with interest, to the Commonwealth over 50 years.

The Department's role is to ensure that NSW and Victoria make the correct loan repayments and interest payments according to the schedule calculated by the Department of Finance and Deregulation. The final repayments are due in 2013.

The loan repayments and interest payments are reported annually in the Portfolio Budget Statements under "Administered Receipts".

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Nation Building-Infrastructure Investment
Branch	Rail and Intermodal
Responsible Officer	Fiona Carrick (6274 6607)

This page last updated: 2 July 2012

This page last reviewed: 2 July 2013

Roads to Recovery Act 2000

Act last amended: 21 December 2000

Purpose

This Act is no longer operational.

Road to Recovery Program is now administered under the *Nation Building (National Transport) Act 2009*.

The purpose of the Act was to provide \$1,200 million to local councils from 1 January 2001 to 30 June 2005 for roads.

This Legislation was introduced by the Government to provide financial assistance to councils to address aging road infrastructure that was beyond the financial capacity of councils. Funding is provided directly to the councils, by-passing the states and territories. Councils determine their own funding priorities. Project approval by the Minister is NOT required under the Legislation.

Role and Responsibilities of the Minister

The Minister has published, in the Gazette, the amount to be provided to each local council and the conditions that apply under this Act. The Program Guidelines have also been published.

The administration of payments to councils has been delegated to the Department.

If a local council ceases to exist before it has received the full amount payable to it, the Minister must, by notice in the Gazette, specify one or more bodies to replace it. A replacement body must be either a local governing body or a state.

After the end of each funding year, the Minister must table a report in each House of the Parliament on the operation of this Act during the funding year.

Requirements (e.g. Reporting, Consultation etc)

Payments to councils are made quarterly based "quarterly reports" on progress with works and forecast expenditures lodged on to a secure web site. Information in these reports is used to calculate the level of payment to each council.

Councils must provide annually an audited statement of expenditures, a report certifying that the conditions of the Act have been met and a statement of outcomes achieved.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Nation Building-Infrastructure Investment
Branch	South East Roads
Responsible Officer	Stan Marks (6274 7350)

This page last updated: 2 July 2012

This page last reviewed: 2 July 2013

Shipping Grants Legislation Act 1996

Act last amended: 5 December 1996

Purpose

The *Shipping Grants Legislation Act 1996* (the Act) repealed the *International Shipping (Australian-resident Seafarers) Grants Act 1995* and amended the *Ships (Capital Grants) Act 1987*.

The *International Shipping (Australian-resident Seafarers) Grants Act* provided a taxable grant to eligible employers who employed Australian-resident seafarers on Australian operated ships predominantly engaged in international trading. An employer who qualified for the grant for the period up to repeal would be able to claim the grant entitlement and be paid after the repeal.

The *Ships (Capital Grants) Act* provided grants to assist with the purchase of ships. The Act amended the *Ships (Capital Grants) Act* so that, to be eligible for a grant, a ship had to be delivered by 30 June 1996 or, if ordered before 1 May 1996, to have been delivered by 30 June 1997.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 2 July 2012

This page last reviewed: 2 July 2013

Shipping Reform (Tax Incentives) Act 2012

Act last amended: 25 June 2012

Purpose

The purpose of the *Shipping Reform (Tax Incentives) Act 2012* is to provide a gateway to the concessions contained in the *Income Tax Assessment Act 1997* (ITAA) for the Australian shipping industry (additional criteria are contained in the ITAA) so as to encourage ship ownership and ship operations in Australia and the employment of Australian seafarers.

The tax incentives provide for the following:

- accelerated Depreciation and rollover relief for owners of Australian registered eligible vessels;
- an income tax exemption (ITE) for Australian operators of Australian registered eligible vessels on qualifying shipping income;
- a refundable tax offset for employers who employ eligible Australian seafarers; and
- an exemption from royalty withholding tax for foreign owners of eligible vessels leased under a bareboat or demise charter to an Australian operator.

Role and Responsibilities of the Minister

This Act provides arrangements to:

- establish eligibility criteria for access to the taxation concessions by defining an “Eligible company” and “Eligible vessel”;
- establish a framework to issue applicants with a “notice” and later a “certificate” confirming they have satisfied the requirements for certification (see process in Figure 1 below);
- provide for the collection and collation of data in relation to these reforms; and
- provide for decisions to be reviewed if disputed.

Requirements (e.g. Reporting, Consultation etc)

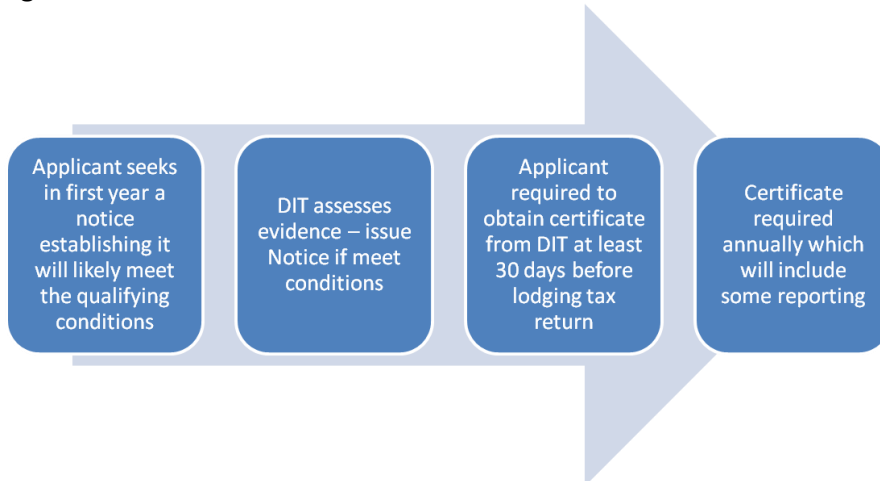
In order to access the accelerated depreciation, ITE or refundable tax offset a company must demonstrate that it is a trading or financial corporation under Australian law with an eligible vessel, (as defined in the Act), of 500 gross tonnage or more and registered on the Australian General or International shipping registers. In addition a company wishing to access the ITE must meet the management and training requirements set out in the Regulations.

The Act provides for the issue of a “certificate” after the end of the financial year to applicants who meet the requirements of the regime. It also provides companies applying for these concessions for the first time, the opportunity to obtain a “notice” during the first year of entry that will provide a degree of comfort that the arrangements proposed will meet the requirements of the Act. The certificate application must be submitted (to the Department) at least 30 days before the applicant’s tax return is to be lodged for the year in which the concession is sought.

The certificate also acts as a reporting tool to enable the Department to publish summary information on which tax concessions have been claimed and to monitor the success of the concessions in achieving the objectives of the reforms.

The process is set out in figure 1 below.

Figure 1: Process for access to the tax concessions



- Notice is for current *income* year
- Certificate is for previous *income* year and may apply for part year
- Certificates apply per applicant, per vessel, per *income* year

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Shipping Reform (Tax Incentives) Regulations 2012

Specifications

- Shipping Reform (Tax Incentives) Act 2012 – Subsection 10(5) specification of kinds of vessels

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leisl Vellnagel-Dunn (6274 7192)

Shipping Registration Act 1981

Act last amended: 8 July 2013

Purpose

The *Shipping Registration Act 1981* provides for Australia to register ships and bestow nationality. It was introduced to provide a code for the registration of Australian-owned or operated ships. It establishes the Australian General Shipping Register and the Australian International Shipping Register (the International Register). Registration is compulsory for Australian-owned ships. Australian-owned or operated ships that are predominantly used to engage in international trading may be registered in the International Register. The Act also provides for employment conditions with respect to seafarers working on board ships registered in the International Register.

Role and Responsibilities of the Minister

The Minister:

- may, in specified circumstances, disallow the name of a ship;
- may appoint a Registrar and Deputy Registrar of Shipping;
- shall determine the form of the seal of the Australian Shipping Registration Office;
- must determine the amount of wages of seafarers performing particular types of work on board ships registered in the International Register;
- must determine the amount of compensation for the death or long-term disability suffered by a seafarer as a result of sickness or injury occurring while on board a ship registered in the International Register;
- may apply to the Supreme Court of a State or Territory for the forfeiture of a ship detained under the Act and approve the method of disposal of the ship and its equipment; and
- may exempt a ship from the requirement to have the name of the ship and its home port written on the outside of the ship.

The Minister may delegate the Minister's powers or functions under the Act.

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Shipping Registration Regulations 1981

Determinations

- Australian International Shipping Register (Minimum Compensation) Determination 2012
- Australian International Shipping Register (Minimum Wages) Determination 2012

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Leanne Kennedy (6274 7500)

This page last updated: 9 August 2013

This page last reviewed: 9 August 2013

Submarine Cables and Pipelines Protection Act 1963

Act last amended: 28 March 2012

Purpose

This Act gives effect to Australia's obligation under the United Nations Convention on the Law of the Sea to provide that the breaking or injury by Australian ships of a submarine cable, pipeline or high-voltage power cable beneath the waters of the exclusive economic zone or the high seas shall be a punishable offence.

Role and Responsibilities of the Minister

Nil

Requirements (e.g. Reporting, Consultation etc)

Nil

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Nil

Administered in the Department by

Division	Surface Transport Policy
Branch	Maritime and Shipping
Responsible Officer	Brendon Brann (6274 7533)

This page last updated: 2 July 2012

This page last reviewed: 2 July 2013

Sydney Airport Curfew Act 1995

Act last amended: 10 October 2006

Purpose

The curfew at Sydney Airport was enacted to alleviate the impact of night-time noise on residents in the vicinity of the airport.

The Act was introduced in 1995 following the opening of the Airport's third runway. The curfew imposed by the Act strengthened the previous arrangements that were in place under the Air Navigation (Aerodrome Curfew) Regulations.

The curfew is in force between 11pm and 6am. The legislation permits operations by emergency aircraft and provides for the granting of dispensations for aircraft to operate in 'exceptional circumstances'. A limited number of international aircraft are allowed to land between 5am and 6am. A quota applies for specified freight jet aircraft. Movements are also allowed for certain categories of 'low noise' jet and non-jet aircraft. All aircraft, except emergency aircraft and those granted a dispensation, must land and take-off to the south of the Airport over Botany Bay.

Role and Responsibilities of the Minister

The Minister is responsible for granting dispensations for operations to take place during the curfew in exceptional circumstances. The Minister must make guidelines which provide advice on what constitutes 'exceptional circumstances' and must have regard to these when deciding to grant a dispensation. In practice, decisions to grant dispensations are made by Departmental officers to whom the Minister has delegated his powers.

The Minister is also empowered to publish a list of 'low noise' 'small' jet aircraft in the Federal Register of Legislative Instruments that may operate during the curfew period. The Act specifies the noise and weight criteria that jet aircraft must meet to be considered for the list.

Requirements (e.g. Reporting, Consultation etc)

The Act requires that the Minister table a report in both Houses of Parliament with details of curfew dispensations granted and the reasons justifying the dispensation. The report must be tabled within five sitting days.

The Minister is required to hold a formal consultation process on the development of the curfew dispensation guidelines, on any proposal to amend the Act or when a list of 'low noise' aircraft is proposed for publishing on the Federal Register of Legislative Instruments. The Minister must report to Parliament on the consultation that has taken place on any proposal to amend the Act.

Airservices Australia must give the Secretary of the Department a written report on weekend restricted runway usage between the hours of 6am and 7am and 10pm and 11pm.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Sydney Airport Curfew Regulations 1995

Guidelines

- Dispensation Guidelines

Notices

- Notice Specifying Jet Aircraft Permitted to Take-off or Land During a Curfew Period (08/11/2005)
- Subsection 12(4) Approvals for Aircraft Movements in Curfew Shoulder - Specification of Commencing Time

Administered in the Department by

Division	Aviation and Airports
Branch	Aviation Environment
Responsible Officer	Scott Stone (6274 7605)

Sydney Airport Demand Management Act 1997

Act last amended: 12 November 2012

Purpose

The *Sydney Airport Demand Management Act 1997* (the Act) sets the maximum movement limit for aircraft movements at Sydney (Kingsford-Smith) Airport. It also provides for the Slot Management Scheme, under which slots for gate movements at Sydney Airport are allocated. The Act caps aircraft movements at Sydney Airport to 80 movements per hour. The Act provides penalties for unauthorised gate movements.

Role and Responsibilities of the Minister

The Act provides that Airservices Australia is to report on adherence to the 80 movements per hour cap.

The Minister may lower the maximum number of hourly movements at Sydney Airport following consultation.

The Act establishes the broad framework for the slot management and compliance schemes. The Minister may issue a determination which provides for additional requirements in the schemes, take action to ensure that the schemes are consistent with the contents specified in the Act, request the Slot Manager to amend the Slot Management Scheme, request the Compliance Committee to amend the Compliance Scheme, develop amendments to the schemes and approve amendments to the schemes.

The Minister may also direct the Slot Manager to vary, suspend or cancel slots. Any such directions, including a statement of reasons, are to be tabled in Parliament.

The Slot Manager, responsible for the day-to-day administration of the slot management scheme, is appointed by the Minister for a period or periods not exceeding three years.

The Compliance Committee has responsibility for developing, administering and amending the compliance scheme. The Minister appoints the members of the Compliance Committee.

Requirements (e.g. Reporting, Consultation etc)

The Minister must publish a notice in the Gazette stating that a determination to lower the movement limit is being considered and inviting written submissions from the operator of Sydney Airport, aircraft operators, Airservices Australia and CASA within 30 days. The determination must give due regard to any submissions and is a disallowable instrument.

Airservices Australia is to report to the Minister quarterly on hours where the 80-movement cap has been exceeded. The Minister must table the Airservices movement cap reports within 15 sitting days of receiving them.

The Minister must consult the Slot Manager before determining additional requirements for the Slot Management Scheme.

The Minister must consult the Compliance Committee before determining additional requirements for the Compliance Scheme.

The determinations for additional requirements and the determinations to amend the Slot Management and Compliance Schemes are disallowable instruments.

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Sydney Airport Demand Management Regulations 1998

Schemes

- Sydney Airport Slot Management Scheme 2013
- Sydney Airport Compliance Scheme 2012

Administered in the Department by

Division	Aviation and Airports
Branch	Airports
Responsible Officer	Alex Waldren (6274 7930)

This page last updated: 2 July 2013

This page last reviewed: 2 July 2013

Transport Safety Investigation Act 2003

Act last amended: 7 January 2013

Purpose

The Act provides for the Australian Transport Safety Bureau's (ATSB) 'best practice' powers of investigation in the aviation, marine and rail modes of transport. Section 12A of the Act provides that the ATSB is constituted by a Chief Commissioner and 2 or more Commissioners. Section 16 of the Act has the effect of the ATSB constituting a Statutory Agency for the purposes of the *Public Service Act 1999*.

Under section 12AA the function of the ATSB under the Act is to improve transport safety through:

- Independent investigation of transport accidents and other safety occurrences;
- Safety data recording, analysis and research; and
- Fostering safety awareness, knowledge and action.

Under the Act the ATSB must carry out its functions while avoiding the apportionment of blame or the determination of liability.

Role and Responsibilities of the Minister

Subject to section 21, there is express provision in the Act covering independence of action of the ATSB. The ATSB is not subject to a direction from anyone with respect to the performance of its functions or the exercise of its powers. However, section 21(1)(b) of the Act allows the Minister to direct the ATSB to investigate a transport safety matter.

Requirements (e.g. Reporting, Consultation etc)

The ATSB must, as soon as reasonably practicable after an investigation has been completed, publish, by electronic means or other means, a report in relation to the investigation (s.25(1)). The ATSB must also, within 28 days of discontinuing an investigation, make publicly available, by electronic or other means, a statement setting out the reasons for discontinuing the investigation (s.21(3)).

Subordinate Legislation (e.g. Regulations, Determinations, Orders etc)

Regulations

- Transport Safety Investigation Regulations 2003
- Transport Safety Investigation (Voluntary and Confidential Reporting Scheme) Regulation 2012

Proclamation

- Transport Safety Investigation Act 2003 - Proclamation (25/06/2003)

Administered By

Australian Transport Safety Bureau

Responsible Officer Patrick Hornby (6274 8136)

This page last updated: 9 January 2013

This page last reviewed: 2 July 2013