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01 February, 2007

Ms. Jeanette Radcliffe
Secretary
Senate Standing Committee on Rural and Regional Affairs and Transport
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Ms. Radcliffe,

**INQUIRIES INTO THE AIRSPACE BILL 2006 AND AIRSPACE (CONSEQUENTIALS AND OTHER MEASURES)
BILL 2006 AND THE AIRPORTS AMENDMENT BILL 2006**

When representatives of the Australian Airports Association appeared before the Committee in relation to the Airports Amendment Bill 2006 on 30 January 2007, we took on notice a question from Senator O'Brien who asked whether there were examples of other clauses in Commonwealth legislation which, like section 94(6) of the Airports Act 1996, deemed a favourable decision to be made where a decision maker had neither approved or disapproved an application or similar within a specified period.

Without wishing to suggest that the following is in any way a comprehensive listing, we refer to the following examples of clauses of this nature:

- section 42(9) of the Aboriginal Land Rights (Northern Territory) Act 1976;
- sections 44H(9), 96Z(6)(a), 152CBC(5) and 152CF(5) of the Trade Practices Act 1974;
- clauses 54(5) and 56(5) of Schedule 1 to the Telecommunications Act 1997; and
- section 158(2) of the Telecommunications (Consumer Protection and Service Standards) Act 1999.

We would be grateful if you would pass this information on to the members of the Committee who, if they have any queries in relation to these provisions, are welcome to contact the Association's legal adviser, Stephen Skehill, direct on 0417 285 206.

Yours sincerely,

Ken Keech
Chief Executive