

# Chapter 1

## Introduction

### Background

1.1 The Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007 (the Aviation bill) was introduced into the Senate on 21 June 2007. On the same day, the Selection of Bills Committee referred the bill to the Senate Standing Committee on Rural and Regional Affairs and Transport (the committee) for inquiry and report by 30 July 2007.<sup>1</sup>

1.2 The Aviation bill amends the *Aviation Transport Security Act 2004* and the *Civil Aviation Act 1988* and is intended to strengthen security and safety in the Australian aviation industry.

1.3 The Aviation bill contains four sets of amendments to the *Aviation Transport Security Act 2004*:

- changes to Transport Security Programs (TSP's) which will more closely align aviation security legislation with maritime security legislation and give certain industry participants greater flexibility during the TSP process;
- enhancements to aviation security by allowing broader and more effective coverage of potential acts of unlawful interference with aviation, including additional powers for certain Australian customs officers who operate at security controlled airports;
- clarification of provisions that relate to the screening and clearing of dignitaries. This amendment will allow the Regulations to specifically describe those dignitaries who are exempt from aviation security screening; and
- minor modifications to several existing provisions, and a new provision to cover interference with the operations of a security controlled airport by a person who is outside the boundary of the airport.<sup>2</sup>

1.4 The bill also contains two sets of amendments to the *Civil Aviation Act 1988*:

- Section 24 is amended to extend the offence of interfering with aircrew, or endangering an aircraft or passengers to apply to a person who is outside an aircraft; and

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1 Selection of Bills Committee, *Report No. 11 of 2007*, dated 21 June 2007.

2 Explanatory Memorandum, Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007, p. 2.

- new Part IV creates a statutory framework that will permit the making of regulations for, and in relation to, the development, implementation and enforcement of drug and alcohol management plans, and of drug and alcohol testing, for persons who perform, or who are available to perform, safety-sensitive aviation activities.<sup>3</sup>

### **Conduct of the inquiry**

1.5 The committee advertised the inquiry in *The Australian* on 27 June 2007 and 11 July 2007, inviting submissions by 11 July 2007. The committee also wrote directly to a number of key individuals, organisations and stakeholder groups inviting submissions. Details of the committee's inquiry, the Aviation bill and associated documents were also placed on the committee's website.

1.6 The committee received nine submissions which are listed at Appendix 1. The submissions were also placed on the committee's website for ease of access by the public.

1.7 The committee held one public hearing in Canberra on Monday, 16 July 2007. A list of witnesses who appeared at the hearing is at Appendix 2. Submissions and a Hansard transcript of the public hearing are available on the Parliament's internet website at [www.aph.gov.au](http://www.aph.gov.au).

### **Acknowledgement**

1.8 The committee appreciates the time and effort of all those who provided written and oral submissions to the inquiry. Their work has assisted the committee considerably in its inquiry.

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3 Explanatory Memorandum, Aviation Legislation Amendment (2007 Measures No. 1) Bill 2007, p. 2.