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## Transport Safety Investigation (Consequential Amendments) Bill 2002

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Transport Safety Investigation (Consequential  
Amendments) Bill 2002

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27 August 2002

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# Transport Safety Investigation (Consequential Amendments) Bill 2002

**Date Introduced:** 20 June 2002

**House:** House of Representatives

**Portfolio:** Transport and Regional Services

**Commencement:** The operational elements of the Bill commence immediately after the Transport Safety Investigation Bill 2002.

## Purpose

To incorporate references to the Transport Safety Investigation Bill 2002 into existing transport safety and freedom of information legislation.

## Background

The Transport Safety Investigation Bill 2002 provides for a new statutory position of the Executive Director of the Australian Transport Safety Bureau (ATSB). The Transport Safety Investigation (Consequential Amendments) Bill 2002 ensures that, in relation to safety investigations, the administering authorities of relevant Commonwealth transport-related Acts must cooperate with the ATSB Executive Director.

## Main Provisions

### Schedule 1

**Item 1** repeals Part 2A of the *Air Navigation Act 1920*. Part 2A deals with the reporting and investigations of aircraft safety matters, including accidents. It will effectively be replaced by the Transport Safety Investigation Bill 2002.

**Item 3** provides that cooperating with the ATSB Executive Director is a function of Airservices Australia under the *Air Services Act 1995*.

#### **Warning:**

*This Digest was prepared for debate. It reflects the legislation as introduced and does not canvass subsequent amendments.*

*This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.*

**Item 4** provides that cooperating with the ATSB Executive Director is a function of the Australian Maritime Safety Authority under the *Australian Maritime Safety Authority Act 1990*.

**Item 5** provides that cooperating with the ATSB Executive Director is a function of the Civil Aviation Safety Authority under *Civil Aviation Act 1988*.

**Item 6** deletes the reference to subsection 19CU(1) of the *Air Navigation Act 1920* from Schedule 3 of the *Freedom of Information Act 1982* (FOI). Schedule 3 lists various provisions of a number of Acts that are effectively exempted from the normal right of access to documents. **Item 6** is required due to the repeal of subsection 19CU(1) **by item 1**. The related **item 7** inserts references to on board recordings and restricted information (see **new Part 6** of the Transport Safety Investigation Bill 2002) into Schedule 3, making these exempt from FOI access. The explanatory memorandum to the Bill comments that this 'exemption is in compliance with Australia's international obligation to protect information collected in the course of no-blame safety investigations'.<sup>1</sup>

## Endnotes

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1 At: p. 77.

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