Transport Safety Investigation (Consequential Amendments) Bill 2002
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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.
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'.

Endnotes

1 At: p. 77.