



Airspace (Consequential and Other Measures) Bill 2006

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Law and Bills Digest Section

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Airspace (Consequential and Other Measures) Bill 2006

Date introduced: 29 November 2006

House: House of Representatives

Portfolio: Transport and Regional Services

Commencement: Sections 1 to 3 commence on Royal Assent. The operative provisions (Schedule 1) commence at the same time as the operative provisions of the Airspace Bill 2006 come into force.

Purpose

The main purpose is to amend the *Civil Aviation Act 1988* in consequence of the transfer of legislative responsibility for civilian airspace management from Airservices Australia (ASA) to the Civil Aviation Safety Authority (CASA).

Background

Background on the transfer of legislative responsibility can be found in the Digest for the Airspace Bill 2006.

Financial implications

The Bill itself has no financial implications. The financial implications of the main Airspace Bill are a budgetary cost to the Department of Transport and Regional Services (DoTARS) of \$4.2 million for the 2007-08 year, with possible costs beyond that year still to be quantified.

Main provisions

Schedule 1

Existing section 9 of the *Civil Aviation Act 1988* sets out CASA's functions. **Item 1** provides that any function conferred on CASA by the Airspace Bill or regulations under it are deemed to be functions under section 9.

Item 2 inserts a **new section 11A** into the *Civil Aviation Act 1988*. It requires CASA to exercise its powers and perform it in a 'manner consistent' with the Australian Airspace

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.

Policy Statement (see the Bills Digest on the Airspace Bill 2006), as long as it can do so without contravening its paramount obligation of air safety under existing subsection 9A(1). If it proposes to act inconsistently with the Statement (presumably because of its subsection 9A(1) obligation), it must notify the Minister of its intention and the reasons for it.

Schedule 2

Items 1 to 5 make minor consequential and technical amendments to the *Air Services Act 1995* and the *Civil Aviation Act 1988*.

Schedule 3

Much of the detail regarding airspace management is contained in regulations. **Item 1** allows for the making of further regulations to facilitate the transition from measures currently contained in the Air Services Regulations to those that will be made under the Airspace Bill 2006.

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