

Air Navigation (Charges) Act 1973

No. 179 of 1973

AN ACT

Relating to Charges in respect of certain Air
Navigation Facilities and Services.

[Assented to 12 December 1973]

BE IT ENACTED by the Queen, the Senate and the House of
Representatives of Australia, as follows:—

1. (1) This Act may be cited as the *Air Navigation (Charges) Act 1973*. Short title
and citation.
(2) The *Air Navigation (Charges) Act 1952–1972** is in this Act
referred to as the Principal Act.
(3) The Principal Act, as amended by this Act, may be cited as the
Air Navigation (Charges) Act 1952–1973.
2. This Act shall come into operation on 1 December 1973. Commence-
ment.
3. Section 2 of the Principal Act is amended by omitting from the
definition of “Australia” in sub-section (1) the words “of the Com- Interpreta-
tion.
monwealth”.

* Act No. 101, 1952, as amended by No. 87, 1957; No. 49, 1960; No. 78, 1962; No. 97, 1963; No. 95, 1964;
Nos. 107 and 125, 1965; No. 48, 1966; No. 79, 1967; No. 84, 1968; No. 75, 1969; No. 105, 1970; and No. 100, 1972.

First
Schedule,
para. 1.

4. Paragraph 1 of the First Schedule to the Principal Act is repealed and the following paragraph substituted:—

“ 1. A charge is payable, in accordance with this Schedule, by the holder of an airline licence in respect of—

- (a) a flight made between places in Australia, in the course of regular public transport operations, by an aircraft (other than a foreign aircraft) operated by him; and
- (b) a flight made between places in Australia by a foreign aircraft operated by him, not being a training flight referred to in paragraph 5A.”.

First
Schedule,
paras. 2A
and 2B.

5. After paragraph 2 of the First Schedule to the Principal Act the following paragraphs are inserted:—

“ 2A. (1) Where an aircraft, other than a foreign aircraft, operated by the holder of an airline licence commences to make a flight between one place in Australia and another place in Australia solely for the purpose of—

- (a) enabling the carrying out of any maintenance of that aircraft at that other place;
- (b) transporting to that other place persons required, or goods required for use, in connexion with the maintenance of aircraft operated by that holder; or
- (c) enabling that aircraft to make from that other place a flight in respect of which a charge is payable under any other paragraph of this Schedule,

or solely for two or more of those purposes, and does not return to that first-mentioned place without a landing at any other place --

- (d) a charge is payable by that holder in respect of the flight actually made, whether or not the flight actually made was made to that second-mentioned place; and
- (e) a charge is payable by that holder in respect of each flight, not being a flight in respect of which a charge referred to in clause (d) of this sub-paragraph or any other paragraph of this Schedule is payable, made by that aircraft after the flight referred to in that clause until the aircraft has returned to that first-mentioned place.

“ (2) In sub-paragraph (1), ‘ maintenance ’ includes inspection, overhaul, modification, repair and replacement of parts.

“ 2B. (1) A charge is payable by the owner of an aircraft in respect of a flight made between places in Australia by that aircraft solely for the purpose of demonstrating that aircraft.

“ (2) This paragraph applies in relation to a flight commencing and ending at the one place in Australia without a landing at any other place in like manner as it applies in relation to a flight between places in Australia.”.

6. Paragraph 3 of the First Schedule to the Principal Act is amended by adding at the end thereof the following sub-paragraph:—

First
Schedule,
para. 3.

“(2) For the purposes of paragraphs 2A and 2B, a flight between two places by way of an intermediate stopping place or intermediate stopping places shall be deemed to be a flight between those two places.”.

7. Paragraph 4 of the First Schedule to the Principal Act is amended by omitting from sub-paragraphs (1) and (1A) the words “ paragraph 1 or 2 of this Schedule ” and substituting the words “ paragraph 1, 2, 2A or 2B ”.

First
Schedule,
para. 4.

8. Paragraph 6 of the First Schedule to the Principal Act is amended by omitting from sub-paragraph (2) all the words from and including the word “ occurs ” and substituting the words “ occurs in the course of charter operations, aerial work operations or private operations in a period in respect of which a charge has been paid, or is payable, in respect of the aircraft under Schedule 2 ”.

First
Schedule,
para. 6.

9. Paragraph 7 of the First Schedule to the Principal Act is amended by omitting the table in sub-paragraph (1) and substituting the following table:—

First
Schedule,
para. 7.

Column 1 Weight of aircraft in kilogrammes	Column 2 Amount of unit charge
Not more than 500	7 cents
More than 500 but not more than 9,000	10 cents for each 450 kilogrammes, or part of 450 kilogrammes, of the weight of the aircraft
More than 9,000 but not more than 20,000	\$2.00 plus 24 cents for each 500 kilogrammes, or part of 500 kilogrammes, by which the weight of the aircraft exceeds 9,000 kilogrammes
More than 20,000 but not more than 100,000	\$7.28 plus 29.5 cents for each 500 kilogrammes, or part of 500 kilogrammes, by which the weight of the aircraft exceeds 20,000 kilogrammes
More than 100,000	\$4.48 plus 27.3 cents for each 500 kilogrammes, or part of 500 kilogrammes, by which the weight of the aircraft exceeds 100,000 kilogrammes

10. Paragraph 9 of the First Schedule to the Principal Act is amended by omitting the words “ paragraph 1 or 2 of this Schedule ” and substituting the words “ paragraph 1, 2, 2A, 2B or 5A ”.

First
Schedule,
para. 9.

11. (1) The table of flights in the First Schedule to the Principal Act is amended by inserting after each item the number of which appears in the first column of Schedule 1 to this Act the item or items set out in the second, third and fourth columns of Schedule 1 to this Act opposite to that first-mentioned number.

First
Schedule,
table of
flights.

(2) The table of flights in the First Schedule to the Principal Act is amended as set out in Schedule 2 to this Act.