

DEVONPORT AIRPORT (SPECIAL PROVISIONS)
AMENDMENT ACT 1982

No. 80 of 1982

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AN ACT to amend the Devonport Airport (Special Provisions) Act 1980.

[Royal Assent 16 December 1982]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Devonport Airport (Special Provisions) Amendment Act 1982*. Short title.

2—(1) This section and section 1 shall commence on the day on which this Act receives the royal assent. Commencement.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be fixed by proclamation.

Principal Act. **3**—In this Act, the *Devonport Airport (Special Provisions) Act 1980** is referred to as the Principal Act.

Amendment of section 3 of Principal Act (Interpretation).

4—Section 3 of the Principal Act is amended as follows:—

(a) by omitting the definition of “ Board ” and substituting the following definitions:—

“ the agreement ” means the agreement entered into by the Marine Board of Devonport (which board is now known as the Port of Devonport Authority) with the Commonwealth for the transfer to that board of the Devonport Airport together with all vehicles, plant, equipment, and other articles belonging to the Commonwealth that were provided for use at or in connection with the airport at the date on which the agreement was entered into, or if that agreement is varied, that agreement as so varied;

“ Authority ” means the Port of Devonport Authority;

(b) by omitting the definition of “ Commonwealth Minister ”.

Substitution of section 4 of Principal Act.

5—Section 4 of the Principal Act is repealed and the following section is substituted:—

Variation of agreement.

4—Subject to this Act and with the prior approval of the Minister, the agreement may be varied by the Authority or the Commonwealth.

Amendment of section 7 of Principal Act (By-laws).

6—Section 7 of the Principal Act is amended by omitting from subsection (3) “, and the Commonwealth Minister ”.

Amendment of section 8 of Principal Act (Power to grant leases, &c.).

7—Section 8 of the Principal Act is amended as follows:—

(a) by omitting from subsection (1) “ With the prior consent of the Commonwealth Minister, the Board ” and substituting “ The Authority ”;

(b) by omitting from subsection (2) “ 7 years ”, wherever occurring, and substituting “ 5 years ”.

8—Section 9 of the Principal Act is amended by omitting “ Commonwealth Minister ” and substituting “ Secretary of the Department of Aviation of the Commonwealth ”.

Amendment of section 9 of Principal Act (Disposal of airport land).

9—Section 11 (2) of the Principal Act is amended by omitting “ VIII ” and substituting “ IX ”.

Amendment of section 11 of Principal Act (Finances).

10—Section 12 of the Principal Act is repealed and the following section is substituted:—

Substitution of section 12 of Principal Act.

12—(1) In order to enable the Authority to meet the costs of operating the Devonport Airport, the Authority may charge such fees, in relation to the use by regular public transport aircraft of the airport or any service or facility provided at the airport, as may be prescribed in the by-laws made and in force under section 7.

Fees payable to Authority for use of airport.

(2) A fee charged by the Authority pursuant to subsection (1) in relation to the use by regular public transport aircraft of the airport or any service or facility provided at the airport is payable by the operator of the aircraft and becomes due for payment at the expiration of the period of 14 days after the date on which the aircraft used the airport or the services or facilities provided at the airport.

(3) If the fee referred to in subsection (2) is not paid before the expiration of the period referred to in that subsection, the fee may be recovered from the operator of the aircraft referred to in that subsection in a court of competent jurisdiction as a debt due to the Authority.

(4) In this section, “ regular public transport aircraft ” means an aircraft classified as such in accordance with the Commonwealth Air Navigation Regulations, as amended and in force for the time being.

11—Section 14 (2) of the Principal Act is amended by omitting “, as amended,”.

Amendment of section 14 of Principal Act (Power to appoint and employ staff).

12—Each of the provisions of the Principal Act specified in column 1 of Schedule 1 is amended by omitting “ Board ”, as indicated in column 2 of that Schedule, and substituting “ Authority ”.

Miscellaneous amendments of references in Principal Act to Board.

SCHEDULE 1

Section 12

AMENDMENT OF REFERENCES IN PRINCIPAL ACT TO BOARD

COLUMN 1 Provisions of Principal Act amended	COLUMN 2 Number of times word omitted occurs in provision
Section 3—definition of “Devonport Airport”	2
Section 6 (1)	2
Section 6 (2)	1
Section 6 (3)	1
Section 6 (4)	1
Section 6 (5)	1
Section 7 (1)	1
Section 8 (2)	2
Section 9	1
Section 10	1
Section 11 (1)	1
Section 11 (2)	2
Section 11 (3)	2
Section 11 (4)	1
Section 13	3
Section 14 (1)	1
Section 14 (2)	1
Section 15	1