



# CONCURRENCE COPY

## AIR TRANSPORT (AMENDMENT) BILL, 1982

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### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The object of this Bill is to amend the Air Transport Act, 1964, so as to—

- (a) provide for the giving of certificate evidence to facilitate proceedings brought in relation to the unlicensed operation of aircraft for the carriage intrastate of passengers or goods in contravention of section 3 (1) of that Act (Schedule 1 (1)); and
- (b) remove the requirement that the consent of the Attorney General be obtained before an information for an offence against that Act can be laid (Schedule 1 (3)),

and to make other provisions of a minor or ancillary nature.

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**AIR TRANSPORT (AMENDMENT) BILL, 1982**

No. , 1982.

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**A BILL FOR**

An Act to amend the Air Transport Act, 1964, so as to provide for the giving of certain evidence by certificates, and for other purposes.

[Mr Cox—30 *September*, 1982.]

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*Air Transport (Amendment).*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**5 Short title.**

1. This Act may be cited as the "Air Transport (Amendment) Act, 1982".

**Amendment of Act No. 36, 1964.**

2. The Air Transport Act, 1964, is amended in the manner set forth in Schedule 1.

**10 Transitional provision.**

3. Nothing prevents the giving of a certificate under section 11 (2) of the Air Transport Act, 1964, as amended by this Act, in relation to—

- (a) a day occurring, or a period commencing; or  
(b) an authorisation granted under section 3 (1A) (b) of that Act,

15 before the commencement of this Act.

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**SCHEDULE 1.**

(Sec. 2.)

**AMENDMENTS TO THE AIR TRANSPORT ACT, 1964.**

- (1) Section 11 (2), (3)—

20 At the end of section 11, insert:—

- (2) The Minister may give a certificate stating—

- (a) that a specified person was or was not authorised under section 3 (1A) (b) to operate aircraft over a specified route on a specified day or during a specified period; and

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*Air Transport (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE AIR TRANSPORT ACT, 1964—*continued.*

- (b) where the person was so authorised, the terms of the authorisation.
- 5 (3) A certificate purporting to have been given pursuant to subsection (2) shall in all courts and before all persons be prima facie evidence of the matters stated in the certificate without proof of the signature or official character of the person purporting to have signed the certificate.
- 10 (2) Section 11A (5)—  
After “Minister”, insert “and shall be deemed to have been done or suffered by the Minister”.
- (3) Section 12 (4)—  
Omit the subsection.

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BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1982









**AIR TRANSPORT (AMENDMENT) ACT, 1982, No. 106**

**New South Wales**



ANNO TRICESIMO PRIMO

**ELIZABETHÆ II REGINÆ**

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**Act No. 106, 1982**

An Act to amend the Air Transport Act, 1964, so as to provide for the giving of certain evidence by certificates, and for other purposes.  
[Assented to, 19th November, 1982.]

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*Air Transport (Amendment).*

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**BE** it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**Short title.**

1. This Act may be cited as the "Air Transport (Amendment) Act, 1982".

**Amendment of Act No. 36, 1964.**

2. The Air Transport Act, 1964, is amended in the manner set forth in Schedule 1.

**Transitional provision.**

3. Nothing prevents the giving of a certificate under section 11 (2) of the Air Transport Act, 1964, as amended by this Act, in relation to—
  - (a) a day occurring, or a period commencing; or
  - (b) an authorisation granted under section 3 (1A) (b) of that Act, before the commencement of this Act.

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SCHEDULE 1.

(Sec. 2.)

AMENDMENTS TO THE AIR TRANSPORT ACT, 1964.

- (1) Section 11 (2), (3)—

At the end of section 11, insert:—

- (2) The Minister may give a certificate stating—

- (a) that a specified person was or was not authorised under section 3 (1A) (b) to operate aircraft over a specified route on a specified day or during a specified period; and

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*Air Transport (Amendment).*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE AIR TRANSPORT ACT, 1964—*continued.*

(b) where the person was so authorised, the terms of the authorisation.

(3) A certificate purporting to have been given pursuant to subsection (2) shall in all courts and before all persons be prima facie evidence of the matters stated in the certificate without proof of the signature or official character of the person purporting to have signed the certificate.

(2) Section 11A (5)—

After “Minister”, insert “and shall be deemed to have been done or suffered by the Minister”.

(3) Section 12 (4)—

Omit the subsection.

*In the name and on behalf of Her Majesty I assent to this Act.*

J. A. ROWLAND,  
*Governor.*

*Government House,  
Sydney, 19th November, 1982.*

