

# EXPOSURE DRAFT



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## Marine Safety (Domestic Commercial Vessel) Levy (General) Rules 2018

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I, Michael McCormack, Deputy Prime Minister and Minister for Infrastructure and Transport, make the following rules.

Dated 2018

Michael McCormack [**DRAFT ONLY—NOT FOR SIGNATURE**]  
Deputy Prime Minister and Minister for Infrastructure and Transport

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## 1 Name

This instrument is the *Marine Safety (Domestic Commercial Vessel) Levy (General) Rules 2018*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under subsections 4(2) and 10(6) of the *Marine Safety (Domestic Commercial Vessel) Levy Act 2018*.

## 4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) leviable domestic commercial vessel;
- (b) vessel.

In this instrument:

*Act* means the *Marine Safety (Domestic Commercial Vessel) Levy Act 2018*.

## 5 Vessels that are not leviable domestic commercial vessels

- (1) For the purposes of subsection 4(1) of the Act, this section specifies the class of vessels covered by subsection (2) or (3) of this section as domestic commercial vessels that are not leviable domestic commercial vessels.
- (2) This subsection covers domestic commercial vessels that are:
- (a) listed on the Australian Register of Historic Vessels maintained by the Australian National Maritime Museum; and
  - (b) owned and operated by a not-for-profit organisation.

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## Section 6

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- (3) This subsection covers domestic commercial vessels that are:
- (a) domestic commercial vessels because of the operation of paragraph 7(a) or section 9 of the *Marine Safety (Domestic Commercial Vessel) National Law Regulation 2013*; and
  - (b) owned and operated by an organisation that:
    - (i) is established for the primary purpose of providing search, rescue or search and rescue services; and
    - (ii) may be given responsibilities by the Commonwealth or a State or Territory in an emergency or disaster; and
  - (c) only operated in connection with either or both of the following:
    - (i) commercial activities for which the supply is GST-free under section 38-250 of the *A New Tax System (Goods and Services Tax) Act 1999*, or would be GST-free under that section if the supplier making the supply were an endorsed charity within the meaning of that Act;
    - (ii) search, rescue or search and rescue activities for which no compensation is payable.

### **6 Advice by AMSA—expenditure to be disregarded**

For the purposes of subsection 10(4) of the Act, the amount of \$51.586 million is specified in relation to the period of 4 years starting on 1 July 2019.

Note: AMSA will be provided with a transition funding package of \$102.36 million for the period of 10 years starting on 1 July 2018. \$51.586 million is the portion of that funding attributable to the 4 year period starting on 1 July 2019 (see paragraph 10(2)(a) of the Act).