

2019-2020

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

SPECIAL RECREATIONAL VESSELS AMENDMENT BILL 2023

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Infrastructure, Transport, Regional Development
and Local Government, the Hon Catherine King MP)

SPECIAL RECREATIONAL VESSELS AMENDMENT BILL 2023

OUTLINE

The purpose of the Bill is to amend the *Special Recreational Vessels Act 2019* (SRV Act) to extend the repeal date in section 17 of the Act from 30 June 2023 to 30 June 2025.

The SRV Act was enacted to allow special recreational vessels (also known as superyachts) to opt into the *Coastal Trading (Revitalising Australian Shipping) Act 2012* (Coastal Trading Act) so they could operate charters in Australia. The SRV Act included a sunset provision in anticipation of the development of longer-term regulatory reforms to cover special recreational vessels.

Due to the impact of COVID-19 pandemic and supply chain disruption issues, the reforms will not be identified and agreed before the SRV Act sunsets.

The extension of the sunset provision in the SRV Act is needed to allow special recreational vessels to continue to operate charters in Australia until a longer-term solution is found. The ability to charter brings economic benefits into regional communities in Australia, supporting local industries and establishing Australia as a destination for these vessels.

Financial impact statement

Nil

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Special Recreational Vessels Amendment Bill 2023

This Bill is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Bill/Legislative Instrument

The purpose of the Amendment Bill is to extend the repeal date in section 17 of the *Special Recreational Vessels Act 2019* (SRV Act) from 30 June 2023 to 30 June 2025. Extending the repeal date will ensure that special recreational vessels (also known as superyachts) can continue to opt in to the coastal trading regulatory regime, established by the *Coastal Trading (Revitalising Australian Shipping) Act 2012*, and obtain temporary licenses to operate charters in Australia.

Human rights implications

The Bill does not engage any of the applicable rights or freedoms.

The only practical effect of passage of the Bill will be to allow superyachts to continue to opt in to the coastal trading regime and operate charters on a temporary licence.

Conclusion

This Bill is compatible with human rights as it does not raise any human rights issues.

**Minister for Infrastructure, Transport, Regional Development and Local Government
the Hon Catherine King MP**

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NOTES ON CLAUSES

Clause 1: Short Title

1. This Act is the *Special Recreational Vessels Amendment Act 2023*.

Clause 2: Commencement

2. This clause provides for when each provision of the Act will commence. In this case, the whole of this Act commences the day after this Act receives the Royal Assent.

Clause 3: Schedules

3. This clause provides that legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1 – Amendments

Special Recreational Vessels Act 2019

Item 1 – Section 17

4. This clause amends the Section 17 of the *Special Recreational Vessels Act 2019*, omitting “30 June 2023”, and substituting “30 June 2025”.