

## **LIGHTERAGE (AMENDMENT) BILL 2012**

### **EXPLANATORY MEMORANDUM**

This Bill is intended to remove statutory restrictions that prevent persons other than the Lighterage Service from carrying cargo and passengers to and from ships calling at Norfolk Island. Presently only the Lighterage Service or other persons who have the specific written permission of the responsible Norfolk Island Minister may lawfully perform such services.

The Bill is divided into 4 clauses—

**Clause 1** provides the short title of the Act.

**Clause 2** provides for commencement upon gazettal of assent by the Administrator.

**Clause 3** defines the principal Act being amended.

**Clause 4** sets out a Schedule of amendments to the principal Act.

**Item 1** amends the existing section 3 to insert a new subsection that expressly states that the Lighterage Service does not have exclusive right to provide lighterage services.

**Item 2** amends the existing section 7 to insert a new subsection that expressly states that a refusal by the Administration to lighter cargo does not affect a decision by another person to lighter.

**Item 3** amends the existing subsection 9(2) to make it clear that the section only applies where the Lighterage Service has been requested to undertake lighterage services.

**Item 4** repeals the existing section 11 to remove the prohibition on unauthorised persons providing lighterage services.

31 May 2012