

South Australia

Air Navigation Act 1937

An Act to provide for the application of the Commonwealth Air Navigation Regulations to and in relation to air navigation within the State of South Australia.

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Legislative history

Preamble

WHEREAS at a conference of representatives of the Governments of the Commonwealth and of the States held in April, 1937, it was resolved that there should be uniform rules throughout the Commonwealth applying to air navigation and aircraft, the licensing and competence of pilots, air traffic rules, and the regulation of aerodromes, and it was agreed that legislation should be introduced in the Parliament of each State to make provision for the application of the Commonwealth Air Navigation Regulations, as in force from time to time, to air navigation and aircraft within the jurisdiction of the State:

The Parliament of South Australia enacts as follows:

1—Short title

This Act may be cited as the *Air Navigation Act 1937*.

4—Definitions

In this Act—

the Commonwealth Act means the *Air Navigation Act 1920* of the Commonwealth of Australia and, if that Act is amended, includes that Act as amended from time to time;

the regulations means the Air Navigation Regulations made, and as in force from time to time, under the Commonwealth Act;

the territories means territories under the authority of the Commonwealth and includes territories governed by the Commonwealth under a mandate.

5—Application of Commonwealth Air Navigation Regulations to air navigation etc within State

The regulations from time to time in force applicable to and in relation to air navigation within the territories shall (except so far as those regulations are by virtue of the Commonwealth Act and the regulations applicable to and in relation to air navigation within South Australia) apply *mutatis mutandis*, to and in relation to air navigation within South Australia as if those regulations as so applied were incorporated in this Act, and for the purposes of this Act those regulations shall be read and construed and take effect accordingly.

6—Certain powers and functions vested in Commonwealth authorities

Where, by or under the regulations, any power or function is vested in or exercisable by any person or authority for the purpose of the regulations or any part thereof, the like power or function under the regulations in their application by virtue of this Act shall be vested in or exercisable by that person or authority for the purposes of the regulations in such application.

7—Certificates, licences etc

Any certificate, licence or registration granted, issued, recognised or effected—

- (a) by or under the regulations in their application under the Commonwealth Act; or
- (b) by or under the regulations in their application by virtue of the law of any other State of the Commonwealth,

and any cancellation or suspension of any such certificate, licence or registration, shall in South Australia have the same force and effect as if it had been granted, issued, recognised or effected in pursuance of the regulations in their application by virtue of this Act.

8—Fees

All fees payable under the regulations in their application by virtue of this Act shall be paid to the Commonwealth to meet the cost of the administration of the regulations in such application.

9—Offences

Proceedings for any offence against the regulations in their application by virtue of this Act shall be disposed of summarily.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Legislation repealed by principal Act

The *Air Navigation Act 1937* repealed the following:

Commonwealth Powers (Air Navigation) Act 1921

Principal Act

Year	No	Title	Assent	Commencement
1937	2352	<i>Air Navigation Act 1937</i>	3.11.1937	12.1.1938 (<i>Gazette 13.1.1938 p53</i>)

Provisions amended since 3 February 1976

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
<i>s 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	
<i>s 3</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	