

South Australia

# South Australian Ports (Disposal of Maritime Assets) Regulations 2012

under the *South Australian Ports (Disposal of Maritime Assets) Act 2000*

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### 1—Short title

These regulations may be cited as the *South Australian Ports (Disposal of Maritime Assets) Regulations 2012*.

### 2—Commencement

These regulations come into operation on the day on which they are made.

### 3—Interpretation

In these regulations, unless the contrary intention appears—

**Act** means the *South Australian Ports (Disposal of Maritime Assets) Act 2000*;

**panel** means the Port Adelaide Container Terminal Monitoring Panel;

**port of Port Adelaide** means the Port Adelaide port as constituted under the *Harbors and Navigation Act 1993*;

**port operator** has the same meaning as in the *Harbors and Navigation Act 1993*.

### 4—Membership of panel (section 21 of Act)

- (1) The panel will consist of the following persons appointed by the Minister:
  - (a) a nominee of the South Australian Freight Council Incorporated;
  - (b) a nominee of the port operator of the port of Port Adelaide;
  - (c) a nominee of the operator of the Port Adelaide Container Terminal (being a person who works in South Australia);
  - (d) a nominee of Shipping Australia Limited;

- (e) a nominee of The South Australian Road Transport Association Incorporated;
  - (f) a nominee of Customs Brokers and Forwarders Council of Australia Inc;
  - (g) a nominee of the South Australian Employers' Chamber of Commerce and Industry Inc (*Business SA*);
  - (h) a nominee of the Commonwealth Minister responsible for the administration of the *Customs Act 1901* of the Commonwealth;
  - (i) a nominee of the Commonwealth Minister responsible for the administration of the *Quarantine Act 1908* of the Commonwealth;
  - (j) a nominee of The Maritime Union of Australia (being a person who works at the Port Adelaide Container Terminal);
  - (k) a nominee of the Australian Maritime Officers Union (being a person who works at the Port Adelaide Container Terminal);
  - (l) 1 or 2 persons selected by the Minister to represent the interests of importers and exporters in South Australia.
- (2) If the Minister selects 2 persons under subregulation (1)(l), 1 must represent the interests of importers, and the other the interests of exporters, in South Australia.

#### **5—Procedures of panel (section 22 of Act)**

- (1) The member appointed on the nomination of the South Australian Freight Council Incorporated (or an alternate member acting for that member) must preside at meetings of the panel.
- (2) A quorum of the panel consists of half of the total number of its members (ignoring any fraction resulting from the division) plus 1 and must include—
  - (a) the member appointed on the nomination of the South Australian Freight Council Incorporated (or the relevant alternate member); and
  - (b) the member appointed on the nomination of the port operator of the port of Port Adelaide (or the relevant alternate member); and
  - (c) the member appointed on the nomination of the operator of the Port Adelaide Container Terminal (or the relevant alternate member); and
  - (d) 2 other members (or the relevant alternate members) entitled to vote on a question arising for decision by the panel.
- (3) A decision carried by the majority of the votes cast by the members present at a meeting of the panel is a decision of the panel.
- (4) Subject to subregulation (5), each member of the panel is entitled to 1 vote on a question arising for decision by the panel.
- (5) The following members (and their alternates) are not entitled to vote:
  - (a) the member appointed on the nomination of the port operator of the port of Port Adelaide;
  - (b) the member appointed on the nomination of the operator of the Port Adelaide Container Terminal;

- (c) the member appointed on the nomination of The Maritime Union of Australia;
- (d) the member appointed on the nomination of the Australian Maritime Officers Union.

**Schedule 1—Revocation of *South Australian Ports (Disposal of Maritime Assets) Regulations 2007***

The *South Australian Ports (Disposal of Maritime Assets) Regulations 2007* are revoked.

## 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](http://www.legislation.sa.gov.au).

### Principal regulations

Year	No	Reference	Commencement
2012	225	<i>Gazette 8.11.2012 p4961</i>	8.11.2012: r 2