

# Australian Coastal Shipping Commission

No. 145 of 1968

An Act to amend sections 16, 18 and 19 of, and the Third Schedule to, the *Australian Coastal Shipping Commission Act 1956-1966*.

[Assented to 9 December 1968]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Australian Coastal Shipping Commission Act 1968*. Short title and citation.

(2.) The *Australian Coastal Shipping Commission Act 1956-1966\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Australian Coastal Shipping Commission Act 1956-1968*.

Commence-  
ment.

2. This Act shall come into operation on the day on which it receives the Royal Assent.

Powers of  
Commission.

3. Section 16 of the Principal Act is amended—

(a) by inserting after paragraph (a) of sub-section (2.) the following paragraph:—

“ (aa) subject to the approval of the Minister—

- (i) to participate with another person in the formation of an incorporated company;
- (ii) to take, or otherwise acquire, and hold shares or stock in the capital of an incorporated company;
- (iii) to enter into a partnership; and
- (iv) to enter into an arrangement for the sharing of receipts; ”; and

(b) by inserting after sub-section (2.) the following sub-sections:—

“ (2A.) Notwithstanding the preceding provisions of this section and without limiting the generality of paragraph (j) of the last preceding sub-section, the Commission has power to act as agent for another person operating a shipping service between a place in the Commonwealth and a place in another country or between a place in a Territory of the Commonwealth and a place in another country or a shipping service incidental to such a shipping service.

“ (2B.) A reference in paragraph (aa) of sub-section (2.) of this section to an incorporated company shall be read as a reference to a company incorporated in Australia or elsewhere the powers of which do not extend to the doing of any act or thing that the Commission itself is not empowered to do.

“ (2C.) If the memorandum of association or articles of association of an incorporated company in the capital of which the Commission holds shares or stock are altered so as to empower the company to do any act or thing that the Commission itself is not empowered to do, the Commission shall, as soon as practicable after the alteration takes place, dispose of the shares or stock.”.

Duties of  
Commission.

4. Section 18 of the Principal Act is amended by adding at the end thereof the following sub-sections:—

“ (3.) The last two preceding sub-sections do not prevent the Commission pursuing a policy in relation to its overseas shipping services to give effect to, or making its overseas shipping services available at rates

\* Act No. 41, 1956, as amended by No. 87, 1962; No. 88, 1964; and No. 4, 1966.

of charges fixed by or in pursuance of, an agreement or arrangement entered into by the Commission, with the approval of the Minister, with any other person conducting shipping services.

“(4.) For the purposes of the last preceding sub-section, ‘overseas shipping services’ means shipping services between a place in the Commonwealth and a place in another country or between a place in a Territory of the Commonwealth and a place in another country.”.

5. Section 19 of the Principal Act is amended by omitting sub-section (2.) and inserting in its stead the following sub-section:—

Charges to be approved by Minister.

“(2.) In exercising his powers under this section, the Minister shall have regard to the duties of the Commission under sub-sections (1.) and (2.) of the last preceding section and to the provisions of any agreement or arrangement referred to in sub-section (3.) of that section, as the case requires.”.

6. The Third Schedule to the Principal Act is amended by inserting after the words—

Third Schedule.

“*Stevedoring Industry Charge Assessment Act 1947-1953.*”  
the words—

“*Trade Practices Act 1965-1967.*”.

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