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Nauru

G.N.No. 418 / 2011

Nauru Air Corporation (Passenger Levy) Regulations 2011

SL No. 5 of 2011

made by Cabinet on 30 June 2011

Cabinet makes the following regulations under section 46 of the *Nauru Air Corporation Act 1995*:

1 Citation

These regulations may be cited as the *Nauru Air Corporation (Passenger Levy) Regulations 2011*.

2 Commencement

These regulations commence on 4 July 2011.

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3 Definitions

In these regulations:

'journey' means a journey by air;

'levy' means the levy mentioned in regulation 4(1);

'non-scheduled international flight' means an international flight that is not operated as part of a scheduled international air service;

'scheduled international air service' means a series of flights performed:

- (a) by aircraft for the transport of passengers, cargo or mail on a particular route; and
- (b) on such a regular or frequent basis that the flights constitute a systematic service, whether or not they are performed under a published timetable and open to use by any person;

'Secretary' means the head of the department responsible for finance;

'ticketed sector' means an unbroken journey for which a ticket has been issued by the Corporation, but does not include a journey that consists only of travel on:

- (a) a service operated by the Corporation on behalf of another airline or person; or
- (b) a non-scheduled international flight that does not include Nauru as a point of origin or destination.

Example for definition of 'ticketed sector'

For example, a ticket issued for a return journey from Nauru to Brisbane and back contains two ticketed sectors: Nauru to Brisbane, and Brisbane to Nauru.

'transit stop', in relation to a journey, means a stop at which the passenger carried on the journey:

- (a) remains on board the aircraft; or
- (b) disembarks for a short period and remains in transit before reboarding the aircraft;

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'unbroken journey' means a journey that:

- (a) does not include any stops; or
- (b) includes only transit stops.

4 Passenger levy

- (1) The Corporation must pay to the Republic a levy of \$25 in respect of each passenger carried on a ticketed sector.
- (2) The Corporation may recover the levy from the passenger by adding the levy to the price of a ticket.

5 Accounting for levy

The Corporation must, within 4 weeks after the end of each calendar month, give the Secretary a statement showing:

- (a) the total number of passengers carried on ticketed sectors in the month;
- (b) of the passengers mentioned in paragraph (a), the number of passengers in respect of whom no levy is payable;
- (c) the total amount of levy payable by the Corporation in the month; and
- (d) evidence of payment to the Republic of the amount mentioned in paragraph (c).

6 Cabinet may grant exemption

Cabinet may, by Gazette notice, grant the Corporation an exemption from the requirement to pay the levy in respect of a specified class of persons.

Examples for regulation 6:

For regulation 6, examples of a specified class of persons are: full-time students; passengers travelling on a specified route, flight, class of ticket or fare; and passengers travelling at or during a specified period of time.

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7 Levy recoverable as debt to Republic

The levy may be recovered as a debt due to the Republic.

8 Repeal and validation

(1) The *Nauru Air Corporation (Passenger Levy) Regulations 2008* are taken to have commenced on 1 July 2008.

(2) The following Regulations are repealed:

(a) the *Nauru Air Corporation (Passenger Levy) Regulations 2006*; and

(b) the *Nauru Air Corporation (Passenger Levy) Regulations 2008*.

9 Savings and transition

(1) In this regulation:

'repealed Regulations' means the Regulations repealed by regulation 8(2).

(2) Despite regulation 4(1), the levy payable in respect of a passenger travelling on a ticket that was issued before 4 July 2011 is the levy payable under the repealed Regulations.