

1990—No. 774

MARITIME SERVICES ACT 1935—REGULATION

(Relating to fees and the registration of vessels)

NEW SOUTH WALES



[Published in Gazette No. 167 of 14 December 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Maritime Services Act 1935, has been pleased to approve the Regulation made by the Maritime Services Board of New South Wales and set forth hereunder.

BRUCE BAIRD
Minister for Transport.

The Maritime Services Board of New South Wales, in pursuance of the Maritime Services Act 1935, makes the following Regulation:

Commencement

1. This Regulation commences on 1st January 1991.

Amendments

2. The Water Traffic Regulations - N.S.W. are amended:

- (a) by omitting from paragraph (b) of the definition of "Registrable vessel" in Regulation 2 (1) the matter "9m" and by inserting instead the matter "5.5m";
- (b) by omitting Regulation 5A (1) and by inserting instead the following clause:
 - (1) The master of a vessel propelled by mechanical power must not, while navigating on any enclosed waters, permit any person to extend any part of that person's body over the bow, side or stern of the vessel.
- (c) by omitting from Regulation 11 (3A) and (7) (c) the matter "\$38" wherever occurring and by inserting insert the matter "\$41";

(d) by inserting at the end of the Fourth Schedule the following matter:

Every vessel that is less than 5.5m in length, that is fitted with an engine having a power rating of less than 4.0 kilowatts and that is not the subject of an occupation licence under the Management of Waters and Waterside Lands Regulations—N.S.W.

Every sailing vessel that belongs to one of the following Australian Yachting Association classes :

- (a) Flying Dutchman;
- (b) Jubilee;
- (c) Light Weight Sharpie;
- (d) Tornado,

and that is not the subject of an occupation licence under the Management of Waters and Waterside Lands Regulations—N.S.W.

DATED this tenth day of December, 1990.

The *COMMON SEAL* of the *MARITIME SERVICES BOARD OF NEW SOUTH WALES* was duly affixed in the presence of the Chief Executive of the Board:

M. MOORE-WILTON

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to extend the definition of "registerable vessel" to include (among other things) any sailing vessel or motor vessel of 5.5 metres or more in length (formerly 9 metres or more in length); and
- (b) to make it an offence for a person to extend any part of the person's body over the bow, side or stem of a motor vessel; and
- (c) to increase from (\$38 to \$41) the fee for registration of a registerable vessel; and
- (d) to increase from (\$38 to \$41) the fee to accompany an application for the recording of a change in control of a registered vessel; and
- (e) to exempt from certain registration and licensing requirements certain motor vessels of less than 5.5 metres in length, and certain sailing vessels, being vessels that are not the subject of occupation licences under the Management of Waters and Waterside Lands Regulations—N.S.W.