

1993—No. 346

**JUSTICES ACT 1902—REGULATION**

(Relating to short descriptions of certain offences on NSW waters)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Justices Act 1902, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD, M.L.C.,  
Minister for Justice.

**Commencement**

1. This Regulation commences on 1 August 1993.

**Amendments**

2. The Maritime Services (Short Description of Offences) Regulation 1987 is amended:

- (a) by omitting from clause 1 the words “Maritime Services” and by inserting instead the word “Maritime”;
- (b) by inserting in Schedule 1 in appropriate order the following matter:

**Marine (Boating Safety—Alcohol and Drugs)  
Act 1991**

Section 6 (1)—operate vessel on any waters while under the influence of alcohol

operate vessel under influence of alcohol

Section 6 (1)—operate vessel on any waters while under the influence of drugs

operate vessel under influence of drugs

Section 6 (2)—being the master of a vessel and being aware or having reasonable cause to believe a person is under the influence of alcohol, permit the person to operate the vessel on any waters

permit person under influence of alcohol to operate vessel

Section 6 (2)—being the master of a vessel and being aware or having reasonable cause to believe a person is under the influence of drugs, permit the person to operate the vessel on any waters

permit person under influence of drugs to operate vessel

Section 7 (1)—operate vessel on any waters with prescribed concentration of alcohol in blood

operate vessel with p.c.a.

Section 7 (3)—being the supervisor of a juvenile operator of a motor vessel, permit juvenile with the prescribed concentration of alcohol in blood to operate the vessel on any waters

permit juvenile with p.c.a. to operate motor vessel

(c) by inserting in Schedule 1 in appropriate order in the matter relating to the Maritime Services Act 1935 the following matter:

Section 13W (3)—being the master of a vessel, refuse to comply with any direction of harbour master

refuse to comply with harbour master's direction

Section 13W (3)—being the master of a vessel, neglect to comply with any direction of harbour master

neglect to comply with harbour master's direction

(d) by inserting in Schedule 1 in appropriate order in the matter relating to the Management of Waters and Waterside Lands Regulations—N.S.W. the following matter:

Regulation 6 (a)—obstruct the launching of a vessel

obstruct launching of vessel

Regulation 6 (a)—obstruct the removal from the water of a vessel

obstruct removal of vessel from water

Regulation 6 (a)—obstruct the securing of a vessel

obstruct securing of vessel

Regulation 6 (a)—impede the launching of a vessel

impede launching of vessel

Regulation 6 (a)—impede the removal from the water of a vessel

impede removal of vessel from water

Regulation 6 (a)—impede the securing of a vessel

impede securing of vessel

Regulation 17 (a)—without proper cause, on any enclosed water, display any visual signal which is used to indicate the presence, characteristics or intentions of vessels	display false visual signal on enclosed water
Regulation 17 (a)—without proper cause, on any enclosed water, make any sound signal which is used to indicate the presence, characteristics or intentions of vessels	make false sound signal on enclosed water
Regulation 17 (a)—without proper cause, on any managed land, display any visual signal which is used to indicate the presence, characteristics or intentions of vessels	display false visual signal on managed land
Regulation 17 (a)—without proper cause, on any managed land, make any sound signal which is used to indicate the presence, characteristics or intentions of vessels	make false sound signal on managed land
(e) by inserting in Schedule 1 in appropriate order in the matter relating to the Water Traffic Regulations—N.S.W. the following matter:	
Regulation 3—navigate a vessel on any enclosed water recklessly	navigate recklessly
Regulation 3—navigate a vessel on any enclosed water negligently	navigate negligently
Regulation 3—navigate a vessel on any enclosed water at speed likely to cause damage or injury	navigate at speed likely to cause damage or injury
Regulation 3—navigate a vessel on any enclosed water at speed likely to cause annoyance or nuisance	navigate at speed likely to cause annoyance or nuisance
Regulation 3—navigate a vessel on any enclosed water so loaded as to be likely to cause damage or injury	navigate with load likely to cause damage or injury
Regulation 3—navigate a vessel on any enclosed water so loaded as to be likely to cause annoyance or nuisance	navigate with load likely to cause annoyance or nuisance
Regulation 3—navigate a vessel in a way that is dangerous	navigate dangerously
Regulation 5—whilst using vessel on enclosed water, cause annoyance to any person	cause annoyance to person
Regulation 5—whilst using vessel on enclosed water, cause nuisance to any person	cause nuisance to person

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Regulation 5—whilst using vessel on enclosed water, cause danger to any person	cause danger to person
Regulation 5—whilst using vessel on enclosed water, cause danger to any property	cause danger to property

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**EXPLANATORY NOTE**

The object of this Regulation is to prescribe the short descriptions that, by virtue of section 145B of the Justices Act 1902, are sufficient to state or describe, in any information, complaint, summons, warrant, notice, order or other document, certain offences relating to the use of New South Wales waters (clause 2 (b)–(e)).

The Regulation also changes the name of the principal Regulation (clause 2 (a)).

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