



New South Wales

# **Management of Waters and Waterside Lands Amendment (Penalty Notice Offences) Regulation 1996**

under the  
Maritime Services Act 1935

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Maritime Services Act 1935*.

CARL SCULLY  
Minister for Ports

## **Explanatory note**

The object of this Regulation is to enable authorised officers to issue penalty notices to owners and masters of vessels for offences relating to the failure to exhibit lights in accordance with the *Navigation (Collisions) Regulations 1983*. The penalty payable for such offences if they are dealt with by issue of a penalty notice is \$100.

This Regulation is made under section 30D of the *Maritime Services Act 1935* (Penalty notices for certain offences).

## **Management of Waters and Waterside Lands Amendment (Penalty Notice Offences) Regulation 1996**

### **1 Name of Regulation**

This Regulation is the *Management of Waters and Waterside Lands Amendment (Penalty Notice Offences) Regulation 1996*.

### **2 Commencement**

This Regulation commences on 2 August 1996.

### **3 Amendment of Management of Waters and Waterside Lands Regulations—NSW.**

The *Management of Waters and Waterside Lands Regulations—N.S.W* are amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

### **Schedule 1 Amendment of Management of Waters and Waterside Lands Regulations—N.S.W.**

(Clause 3)

#### **[1] Clause 121**

Insert after clause 120:

##### **121 Application of section 30D—prescribed offences under the Navigation (Collision) Regulations 1983**

- (1) For the purposes of section 30D of the Act:
  - (a) an offence under section 113 of the Navigation Act 1901, being an offence arising under a provision of the *Navigation (Collision) Regulations 1983* specified in Column 1 of the Seventh Schedule that is committed by the owner or master of a vessel referred to in section 30D (1) (d) of the *Maritime Services Act 1935* and that relates to a failure to exhibit lights in accordance with those Regulations, is a prescribed offence, and

- (b) the amount shown in Column 2 of the Seventh Schedule opposite the provision of the *Navigation (Collision) Regulations 1983* specified in Column 1 of that Schedule is the amount of penalty prescribed for an offence arising under the provision if dealt with under section 30D of the *Maritime Services Act 1935*, and
- (c) any officer who is authorised by the Minister to be a prescribed officer for the purposes of that section is a prescribed officer.
- (2) In this Regulation:
- officer** means a delegate of the Minister or an officer of such a delegate or any person authorised, by the Crown or by a statutory authority or by the trustees or other persons in charge of any area used for public recreation, to supervise the activities of the public.

**[2] Seventh Schedule**

Insert after the Sixth Schedule:

**Seventh Schedule**      **Prescribed offences and penalties for the purposes of section 30D (offences under the Navigation Act 1901)**

(Clause 121)

<i>Column 1</i>	<i>Column 2</i>
<b>Navigation (Collision) Regulations 1983</b>	<b>Penalty</b>
<b>All offences arising under:</b>	<b>\$</b>
Schedule 1, Rule 23	100
Schedule 1, Rule 24	100
Schedule 1, Rule 25	100
Schedule 1, Rule 26	100
Schedule 1, Rule 27	100
Schedule 1, Rule 29	100
Schedule 1, Rule 30	100