



New South Wales

# Navigation (Collision) Amendment (Short Descriptions of Offences) Regulation 1996

under the  
Navigation Act 1901

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Navigation Act 1901*.

CARL SCULLY  
Minister for Ports

## Explanatory note

The object of this Regulation is to prescribe the short descriptions that, by virtue of section 145B of the *Justices Act 1902*, may be used in any information, complaint, summons, warrant, notice, order or other document to describe an offence under section 113 of the *Navigation Act 1901* that arises because of a contravention of certain rules under the *Navigation (Collision) Regulations 1983*. The rules relate to the lights to be exhibited by vessels.

This Regulation is made under the regulation making powers of the *Navigation Act 1901* (section 165A), as extended by section 145B (3) of the *Justices Act 1902*.

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## Navigation (Collision) Amendment (Short Descriptions of Offences) Regulation 1996

### 1 Name of Regulation

This Regulation is the *Navigation (Collision) Amendment (Short Descriptions of Offences) Regulation 1996*.

### 2 Commencement

This Regulation commences on 2 August 1996.

### 3 Amendment of Navigation (Collision) Regulations 1983

The *Navigation (Collision) Regulations 1983* are amended as set out in Schedule 1.

### 4 Notes

The explanatory note does not form part of this Regulation.

## Schedule 1 Amendment of Navigation (Collision) Regulations 1983

(Clause 3)

### [1] Clause 2A

Insert after clause 2:

#### 2A Interpretation

Notes in these Regulations are explanatory notes and do not form part of the Regulations.

### [2] Clause 10A

Insert after clause 10:

#### 10A Short descriptions of offences

- (1) For the purposes of section 145B (2) of the *Justices Act 1902*, the prescribed expression for an offence under section 113 of the *Navigation Act 1901*, being an offence that arises under a provision of these Regulations specified in Column 1 of Schedule 3, is the expression set out opposite that provision in Column 2 of Schedule 3.

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- (2) If a choice of words is indicated in Column 2 of Schedule 3, the words remaining after the omission of words irrelevant to the offence constitute the prescribed expression.
- (3) In this Regulation, a reference to a provision in Schedule 3 in relation to an offence is a reference to that provision as in force at the time the offence is alleged to have occurred.
- (4) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used and any such document continues to have effect as if that expression had not been amended or repealed.
- (5) Subclause (4) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

**Note**

The *Management of Waters and Waterside bands Regulations — N.S.W.* (clause 124 and the Seventh Schedule) allows authorised officers to issue penalty notices for offences arising under the provisions of these Regulations specified in Schedule 3.

**[3] Schedule 3**

Insert after Schedule 2:

**Schedule 3 Short descriptions of offences**

(Clause 10A)

<b>Column 1</b>	<b>Column 2</b>
<b>Provision of these Regulations</b>	<b>Short description</b>
Schedule 1, Rule 23 (a) and (c)	Owner power-driven vsl underway without required lights
Schedule 1, Rule 23 (a) and (c)	Master power-driven vsl underway without required lights

**1996 No 358**

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Schedule 1 Amendment of Navigation (Collision) Regulations 1983

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<b>Column 1</b>	<b>Column 2</b>
<b>Provision of these Regulations</b>	<b>Short description</b>
Schedule 1, Rule 23 (b)	Owner air-cushion vsl operating without required lights
Schedule 1, Rule 23 (b)	Master air-cushion vsl operating without required lights
Schedule 1, Rule 24 (a)	Owner power-driven vsl towing without required lights
Schedule 1, Rule 24 (a)	Master power-driven vsl towing without required lights
Schedule 1, Rule 24 (c)	Owner power-driven vsl pushing/towing without required lights
Schedule 1, Rule 24 (c)	Master powerdriven vsl pushing/towing without required lights
Schedule 1, Rule 25 (a) and (b)	Owner sailing vsl underway fail to exhibit required lights
Schedule 1, Rule 25 (a) and (b)	Master sailing vsl underway fail to exhibit required lights
Schedule 1, Rule 26 (b)	Owner vsl engaged in trawling without requir d lights
Schedule 1, Rule 26 (b)	Master vsl engaged in trawling without required lights
Schedule 1, Rule 26 (c)	Owner vsl fishing (not trawling) without required lights
Schedule 1, Rule 26 (c)	Master vsl fishing (not trawling) without required lights
Schedule 1, Rule 26 (e)	Owner vsl not engaged in fishing exhibit fishing lights
Schedule 1, Rule 26 (e)	Master vsl not engaged in fishing exhibit fishing lights
Schedule 1, Rule 27 (a)	Owner vsl not under command without required lights
Schedule 1, Rule 27 (a)	Master vsl not under command without required lights
Schedule 1, Rule 27 (b)	Owner vsl restricted manoeuvres without required lights

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<b>Column 4</b>	<b>Column 2</b>
<b>Provision of these Regulations</b>	<b>Short description</b>
Schedule 1, Rule 27 (b)	Master vsl restricted manoeuvres without required lights
Schedule 1, Rule 27 (c)	Owner powered vsl restricted by tow without required lights
Schedule 1, Rule 27 (c)	Master powered vsl restricted by tow without required lights
Schedule 1, Rule 27 (d)	Owner vsl dredging/underwater operations without required lights
Schedule 1, Rule 27 (d)	Master vsl dredging/underwater operations without required lights
Schedule 1, Rule 27 (e)	Owner vsl engaged in diving without required lights
Schedule 1, Rule 27 (e)	Master vsl engaged in diving without required lights
Schedule 1, Rule 29 (a)	Owner vsl on pilotage duty without required lights
Schedule 1, Rule 29 (a)	Master vsl on pilotage duty without required lights
Schedule 1, Rule 30 (a) and (b)	Owner vsl at anchor without required lights
Schedule 1, Rule 30 (a) and (b)	Master vsl at anchor without required lights
Schedule 1, Rule 30 (d)	Owner vsl aground without required lights
Schedule 1, Rule 30 (d)	Master vsl aground without required lights