

1996—No. 68

MARITIME SERVICES ACT 1935—REGULATION

(Relating to hull identification numbers and the registration of vessels)

NEW SOUTH WALES



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HIS Excellency the Lieutenant-Governor, with the advice of the Executive Council, and in pursuance of the Maritime Services Act 1935, has been pleased to make the Regulation set forth hereunder.

CARL SCULLY, M.P.,
Minister for Ports.

Commencement

1. This Regulation commences on 1 March 1996.

Amendments

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

- (a) by omitting the definition of “Commercial vessel” from clause 2 (1) and by inserting instead the following definition:

“**Commercial vessel**” means a vessel to or in relation to which the Commercial Vessels Act 1979 applies and includes a vessel, or a vessel of a class of vessels, in respect of which an exemption notice has been given or published under section 48 of that Act;

- (b) by inserting in clause 2 (1) in alphabetical order the following definition:

“**Hull identification number**” means:

- (a) a number, in a form and of a size, specified in International Standard No. ISO 10087—1995 (E) published by the International Organization for Standardization entitled “Small craft—Hull identification—Coding system”, permanently affixed to, and located in the positions on, the hull of a vessel specified by that Standard, or

- (b) any other number, approved by the Minister, that is permanently affixed to the hull of a vessel in a form and manner approved by the Minister;
- (c) by inserting after clause 11 the following clauses:

Certain vessels to have hull identification numbers affixed before registration

11A. (1) A vessel is not to be registered unless a hull identification number has been affixed to its hull.

(2) However, this clause does not apply to a vessel that is registered at the date of commencement of this Regulation unless it is a vessel to which clause 11B applies.

Vessels to have hull identification numbers affixed before registration following transfer of control

11B. A vessel is not to be registered following the recording of a transfer of control of the vessel unless a hull identification number has been affixed to its hull.

Offence relating to hull identification numbers

11C. A person who, without the written authority of the Minister, alters, defaces, removes or obliterates a hull identification number on the hull of a vessel is guilty of an offence against this regulation.

EXPLANATORY NOTE

The object of this Regulation is to facilitate the identification of vessels to which the Water Traffic Regulations—N.S.W. apply by requiring that, before vessels may be registered initially or before vessels may be registered following a transfer of control, a hull identification number must be affixed to them.

This Regulation applies to all registrable vessels within the meaning of the Water Traffic Regulations—N.S.W. The definition of “commercial vessel” (a commercial vessel, other than a ferry or a tug, being a class of registrable vessel) is amended so as to ensure that those Regulations apply to all vessels (other than ferries and tugs) used for commercial purposes. The term “hull identification number” is also defined for the purposes of the Regulation.

The Regulation makes it an offence for a person, without the written authority of the Minister, to alter, deface, remove or obliterate a hull identification number.

This Regulation is made under section 38 (the general regulation making power) of the Maritime Services Act 1935.
