

COMMERCIAL VESSELS ACT 1975—REGULATION

(Amendments consequent on the dissolution of the Maritime Services Board)

NEW SOUTH WALES



[Published in Gazette No. 92 of 28 July 1995]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Commercial Vessels Act 1979 and the Ports Corporatisation and Waterways Management Act 1995, has been pleased to make the Regulation set forth hereunder.

P. C. Scully
Minister for Ports.

Commencement

1. This Regulation is taken to have commenced on 1 July 1995.

Amendment of Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986

2. The Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986 is amended:

- (a) by omitting the word “Board” and “Board’s” wherever occurring and by inserting instead the word “Minister” and “Minister’s” respectively;
- (b) by omitting from clause 15 (1) the words “on its behalf” and by inserting instead the words “on the Minister’s behalf”;
- (c) by inserting after clause 36 the following clause:

Dissolution of Maritime Service Board—savings and transitional

37. Anything done by the Maritime Services Board or an officer of the Board under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect

immediately before that dissolution is taken to have been done by the Minister or by an officer of the Minister, as the case requires.

Amendment of Commercial Vessels (Emergency Procedures and Safety of Navigation) Regulation 1986

3. The Commercial Vessels (Emergency Procedures and Safety of Navigation) Regulation 1986 is amended:

- (a) by inserting after clause 6 the following clause:

Dissolution of Maritime Services Board—savings and transitional

7. Anything done by the Maritime Services Board under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect immediately before that dissolution is taken to have been done by the Minister.

- (b) by omitting from Schedule 1 the words “The Maritime Services Board of New South Wales” and by inserting instead the words “the Minister administering the Commercial Vessels Act 1979 of New South Wales”.

Amendment of Commercial Vessels (Equipment) Regulation 1986

4. The Commercial Vessels (Equipment) Regulation 1986 is amended:

- (a) by omitting the word “Board” wherever occurring (except where occurring in clause 1 of Schedule 1) and by inserting instead the word “Minister”;
- (b) by inserting after Part 4 the following Part:

PART 5—SAVINGS AND TRANSITIONAL

Dissolution of Maritime Services Board—savings and transitional

27. Anything done by the Maritime Services Board under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect immediately before that dissolution is taken to have been done by the Minister.

- (c) by omitting the words “The Maritime Services Board of New South Wales” from clause 1 of Schedule 1 and by inserting instead the words “the Minister administering the Commercial Vessels Act 1979 of New South Wales”.

Amendment of Commercial Vessels (Hire and Drive) Regulation 1986

5. The Commercial Vessels (Hire and Drive) Regulation 1986 is amended:

- (a) by omitting the word “Board” wherever occurring and by inserting instead the word “Minister”;
- (b) by inserting after clause 15 the following clause:

Dissolution of Maritime Services Board—savings and transitional

16. Anything done by the Maritime Services Board or by an officer of the Board under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect immediately before that dissolution is taken to have been done by the Minister or by an officer of the Minister, as the case requires.

Amendment of Commercial Vessels (Load Lines) Regulation 1986

6. The Commercial Vessels (Load Lines) Regulation 1986 is amended:

- (a) by omitting the word “Board” wherever occurring (except where occurring in Schedule 1) and by inserting instead the word “Minister”;
- (b) by inserting after clause 7 the following clause:

Dissolution of Maritime Services Board—savings and transitional

8. Anything done by the Maritime Services Board or by an officer of the Board under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect immediately before that dissolution is taken to have been done by the Minister or by an officer of the Minister, as the case requires.

- (c) by omitting from Schedule 1 the words “The Maritime Services Board of New South Wales” and by inserting instead the words “the Minister administering the Commercial Vessels Act 1979 of New South Wales”.

Amendment of Commercial Vessels (Permits) Regulation 1986

7. The Commercial Vessels (Permits) Regulation 1986 is amended:

- (a) by omitting the word “Board” wherever occurring (except where occurring in Schedule 1) and by inserting instead the word “Minister”;

(b) by omitting from clause 10 (4) (a) the words “the Board’s surveyor” and by inserting instead the words “a surveyor designated by the Minister”;

(c) by inserting after clause 16 the following clause:

Dissolution of Maritime Services Board—savings and transitional

17. Anything done by the Maritime Services Board or by an officer of the Board under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect immediately before that dissolution is taken to have been done by the Minister or by an officer of the Minister, as the case requires.

(d) by omitting from Schedule 1 the words “Maritime Services Board” wherever occurring and by inserting instead the word “Minister’s”;

(e) by omitting from point 3 in the notes at the end of Schedule 3 the words “it shall” and by inserting instead the words “the Minister is to”.

EXPLANATORY NOTE

The object of this Regulation is to amend various regulations under the Commercial Vessels Act 1979 consequent on the dissolution of the Maritime Services Board on 1 July 1995 (by the Ports Corporatisation and Waterways Management Act 1995). The functions of the Board have largely been taken over by the Minister for Ports. Accordingly, this Regulation replaces references to the Board with references to the Minister and makes other provisions of a savings and transitional nature.

This Regulation is made under the Commercial Vessels Act 1979, including section 41 (Regulations) and section 52 (the general regulation making power). Clause 1 of this Regulation (which provides that the Regulation is taken to have commenced on 1 July 1995) is made under the authority conferred by Part 1 of Schedule 5 to the Ports Corporatisation and Waterways Management Act 1995.
