



Marine Safety Regulation 2003

under the

Marine Safety Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Marine Safety Act 1998*.

MICHAEL COSTA, M.L.C.,
Minister for Transport Services

Explanatory note

The object of this Regulation is to prescribe certain offences under the *Marine Pollution Regulation 2001* as offences that may be dealt with by way of penalty notice and to prescribe the penalties for those offences when dealt with in that way.

This Regulation is made under the *Marine Safety Act 1998*, including sections 126 and 137 (the general regulation-making power).

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Marine Safety Regulation 2003

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Marine Safety Act 1998

1 Name of Regulation

This Regulation is the *Marine Safety Regulation 2003*.

2 Commencement

This Regulation commences on 1 July 2003.

3 Definitions

In this Regulation:

the Act means the *Marine Safety Act 1998*.

4 Penalty notice offences

- (1) For the purposes of section 126 of the Act:
 - (a) an offence specified in Column 1 of Schedule 1 (being an offence under the Act or the Regulation indicated in the heading to the relevant part of that Schedule) is a prescribed offence, and
 - (b) an amount shown in Column 2 of Schedule 1 opposite the prescribed offence is the amount of penalty prescribed for the offence if that offence is dealt with under section 126 of the Act.
- (2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offence or to offences committed in specified circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.
- (3) For the purposes of section 126 (9) of the Act, authorised officers are prescribed as a class of persons who are law enforcement officers in relation to the offences specified in Column 1 of Schedule 1.

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Schedule 1 Penalty notice offences

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(Clause 4)

Column 1	Column 2
Offences under the Marine Pollution Regulation 2001	
Clause 22B (2)	\$750
Clause 22E (1)	\$750
Clause 22E (2)	\$750
Clause 22F (2)	\$750
Clause 22F (3)	\$750
Clause 22G (1)	\$750
Clause 22G (2)	\$750
Clause 22H (1)	\$750
Clause 22H (2)	\$300
Clause 22H (3)	\$300
Clause 22H (4)	\$300
Clause 22K (3)	\$750
Clause 22L	\$300
Clause 22M (1)	\$750
Clause 22M (2)	\$750
Clause 22N (1)	\$750
Clause 22O (3)	\$750

BY AUTHORITY