



New South Wales

Marine Safety (General) Exemption Order 2009

under the

Marine Safety (General) Regulation 2009

The Maritime Authority of NSW, in pursuance of clause 98 of the *Marine Safety (General) Regulation 2009*, makes the following Order.
Dated, this 16th day of November 2009.

Steve Dunn, Chief Executive
Maritime Authority of NSW

2009 No 535

Clause 1 Marine Safety (General) Exemption Order 2009

Marine Safety (General) Exemption Order 2009

under the

Marine Safety (General) Regulation 2009

1 Name of Order

This Order is the *Marine Safety (General) Exemption Order 2009*.

2 Commencement

This Order commences on the day on which it is published on the NSW legislation website.

3 Definitions

In this Order:

appropriate lifejacket has the same meaning as it has in clause 83 of the Regulation.

enclosed waters has the same meaning as it has in the Regulation.

Maritime Authority has the same meaning as it has in the Regulation.

open waters has the same meaning as it has in the Regulation.

tender has the same meaning as it has in the Regulation.

the Regulation means the *Marine Safety (General) Regulation 2009*.

times of sunset and sunrise means the times as published in a statement in a newspaper circulating throughout New South Wales.

4 Object of Order

The provisions of this Order contain exemptions from provisions of the Regulation for classes of persons or vessels in accordance with clause 98 of the Regulation.

5 Exemption from prescribed minimum safety equipment requirements—small inflatable boats

- (1) The owner and operator of a vessel are exempt from the requirement in clause 84 (1) (a) of the Regulation if the vessel is of a class specified in subclause (2) and the conditions set out in subclause (3) are satisfied.
- (2) This clause applies to inflatable boats:
 - (a) that are less than 5 metres in length, and

- (b) that are built so as to float if swamped or capsized, and
 - (c) that are not tenders.
- (3) This clause applies only if all of the following conditions are satisfied:
- (a) the vessel must not be operated between the times of sunset and sunrise,
 - (b) the vessel must not be operated more than 2 nautical miles from the nearest shore,
 - (c) when navigated in enclosed waters, or in open waters within 400 metres from the nearest shore, the owner and operator must ensure that the vessel carries the following safety equipment:
 - (i) an appropriate lifejacket for each person on board the vessel,
 - (ii) paddles, or oars with rowlocks,
 - (iii) a sound signal (air horn, bell or whistle),
 - (d) when navigated in open waters more than 400 metres from the nearest shore, the owner and operator must ensure that the vessel carries the following safety equipment:
 - (i) an appropriate lifejacket for each person on board the vessel,
 - (ii) paddles, or oars with rowlocks,
 - (iii) a sound signal (air horn, bell or whistle),
 - (iv) a compass,
 - (v) two litres of fresh drinking water per person,
 - (vi) a V-sheet.