



New South Wales

Marine Safety (General) Amendment (Drug and Alcohol Testing) Regulation 2014

under the

Marine Safety Act 1998

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

DUNCAN GAY, MLC
Minister for Roads and Freight

Explanatory note

The object of this Regulation is to make provision of a savings and transitional nature relating to the use of existing evidence certificate forms by analysts, as a consequence of recent amendments to the *Marine Safety Act 1998* that reframe the requirements relating to the form of such certificates.

This Regulation is made under the *Marine Safety Act 1998*, including section 137 (the general regulation-making power) and clause 1 of Schedule 4.

Marine Safety (General) Amendment (Drug and Alcohol Testing) Regulation 2014

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1 Name of Regulation

This Regulation is the *Marine Safety (General) Amendment (Drug and Alcohol Testing) Regulation 2014*.

2 Commencement

This Regulation commences on 1 February 2015 and is required to be published on the NSW legislation website.

3 Amendment of Marine Safety (General) Regulation 2009

Schedule 8 Savings and transitional provisions

Insert after clause 7:

8 Use of existing evidence certificate forms by analysts

- (1) A form of evidence certificate that was prepared in accordance with former clause 27 (6) or 29 (3) of Schedule 1 to the Act before the relevant day so that it could be used under that subclause when completed:
 - (a) is taken to be, and is to be construed as, a form of evidence certificate prepared in accordance with new clause 27 (6) or 29 (3) of Schedule 1 to the Act, and
 - (b) may, during the transitional period, be completed in accordance with and used under that subclause.
- (2) In this clause:

former clause 27 (6) or 29 (3) of Schedule 1 to the Act means clause 27 (6) or 29 (3) as in force immediately before the relevant day.

new clause 27 (6) or 29 (3) of Schedule 1 to the Act means clause 27 (6) or 29 (3) as amended by the *Road Transport Amendment (Alcohol and Drug Testing) Act 2014*.

relevant day means 1 February 2015 (being the day on which the *Road Transport Amendment (Alcohol and Drug Testing) Act 2014* commences).

transitional period means the period of 12 months commencing on the relevant day.