



New South Wales

Rock Fishing Safety Amendment Bill 2021

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Rock Fishing Safety Act 2016* as follows—

- (a) to extend its application to all naturally occurring rock platforms or other rock formations exposed to ocean swell within New South Wales,
- (b) to require persons to wear appropriate footwear when fishing at high risk rock fishing locations,
- (c) to permit persons to wear a wetsuit instead of a lifejacket when fishing at high risk rock fishing locations,
- (d) to provide that penalty notices can no longer be issued for offences.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 amends the *Rock Fishing Safety Act 2016* as set out in the overview above.



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New South Wales

Rock Fishing Safety Amendment Bill 2021

No. , 2021

A Bill for

An Act to amend the *Rock Fishing Safety Act 2016* to extend the application of the Act to high risk rock fishing locations anywhere in New South Wales; to require persons to wear appropriate footwear when rock fishing; and for related purposes.

| | |
|--|----|
| The Legislature of New South Wales enacts— | 1 |
| 1 Name of Act | 2 |
| This Act is the <i>Rock Fishing Safety Amendment Act 2021</i> . | 3 |
| 2 Commencement | 4 |
| This Act commences on the date of assent to this Act. | 5 |
| 3 Amendment of Rock Fishing Safety Act 2016 No 66 | 6 |
| (1) Long title | 7 |
| Omit “declared”. | 8 |
| (2) Section 3 Definitions | 9 |
| Omit the definition of <i>high risk rock fishing location</i> from section 3(1). | 10 |
| Insert in alphabetical order— | 11 |
| <i>appropriate footwear</i> means— | 12 |
| (a) for a high risk rock fishing location consisting of a granite surface—lightweight, non-slip boots, and | 13 |
| (b) for all other high risk rock fishing locations—shoes with cleats or spikes. | 15 |
| <i>high risk rock fishing location</i> means a naturally occurring rock platform or other rock formation exposed to ocean swell. | 17 |
| (3) Sections 4 and 8 and Schedule 1, clauses 2(2) and 4 | 19 |
| Omit the provisions. | 20 |
| (4) Section 5, heading | 21 |
| Omit “ lifejacket ”. Insert instead “ appropriate lifejacket or footwear ”. | 22 |
| (5) Section 5(1) and (2) | 23 |
| Omit “wearing an appropriate lifejacket.” wherever occurring. Insert instead— | 24 |
| wearing— | 25 |
| (a) an appropriate lifejacket or a wetsuit, and | 26 |
| (b) appropriate footwear. | 27 |
| (6) Section 9 | 28 |
| Omit the section. Insert instead— | 29 |
| 9 Penalties to be paid into Recreational Fishing (Saltwater) Trust Fund | 30 |
| All penalties recovered for offences under this Act must be paid into the Recreational Fishing (Saltwater) Trust Fund. | 31 |
| | 32 |