

Marine Safety Regulation 2008

[2008-182]



New South Wales

Status Information

Currency of version

Historical version for 13 June 2008 to 31 August 2008 (accessed 18 July 2024 at 3:28)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

None of the provisions displayed in this version of the legislation have commenced.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 13 June 2008

Marine Safety Regulation 2008



New South Wales

Contents

1 Name of Regulation	3
2 Commencement	3
3 Definitions	3
4 Penalty notice offences.....	3
5 Transitional provision: references to marine safety licences	4
6 Saving.....	4
Schedule 1 Penalty notice offences	4

Marine Safety Regulation 2008



New South Wales

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

JOSEPH TRIPODI, M.P., Minister for Ports and Waterways

1 Name of Regulation

This Regulation is the *Marine Safety Regulation 2008*.

2 Commencement

This Regulation commences on 1 September 2008.

Note—

This Regulation replaces the *Marine Safety Regulation 2003* which is repealed on 1 September 2008 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definitions

(1) In this Regulation:

the Act means the *Marine Safety Act 1998*.

(2) Notes included in this Regulation do not form part of this Regulation.

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.

5 Transitional provision: references to marine safety licences

A reference, in any provision of the Act that has commenced, to a marine safety licence includes, until such time as Part 4 of the Act commences, a reference to a registration, licence, certificate or other authority in force under any Act or regulation specified in Schedule 2 to the Act.

6 Saving

Any act, matter or thing that, immediately before the repeal of the *Marine Safety Regulation 2003*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Penalty notice offences

(Clause 4)

Column 1	Column 2
Offences under the <i>Marine Pollution Regulation 2006</i>	
Clause 23 (2)	\$750
Clause 26 (1)	\$750
Clause 26 (2)	\$750
Clause 27 (2)	\$750
Clause 27 (3)	\$750
Clause 28 (1)	\$750
Clause 28 (2)	\$750
Clause 29 (1)	\$750
Clause 29 (2)	\$300
Clause 29 (3)	\$300
Clause 29 (4)	\$300
Clause 32 (3)	\$750
Clause 33	\$300
Clause 34 (1)	\$750

Clause 34 (2)	\$750
Clause 35	\$750
Clause 36 (3)	\$750