

# Marine Safety (General) Exemption Order 2009

[2009-535]



New South Wales

## Status Information

### Currency of version

Historical version for 20 November 2009 to 24 June 2010 (accessed 10 January 2025 at 17:24)

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### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Authorisation

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# Marine Safety (General) Exemption Order 2009



New South Wales

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

## 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.