



Navigation (Orders) Regulations 1980

Statutory Rules 1980 No. 135 as amended

made under the

Navigation Act 1912

This compilation was prepared on 15 December 2006
taking into account amendments up to SLI 2006 No. 359

Prepared by the Office of Legislative Drafting and Publishing,
Attorney-General's Department, Canberra

Contents

1	Name of Regulations [see Note 1]	3
2	Interpretation	3
4	Offences	3
5	Uniform Shipping Laws Code — exemptions	3
6	Evidentiary provision	3

Notes		5
--------------	--	---

1 Name of Regulations [see Note 1]

These Regulations are the *Navigation (Orders) Regulations 1980*.

2 Interpretation

In these Regulations, unless the contrary intention appears:
the Act means the *Navigation Act 1912*.

4 Offences

- (1) A person commits an offence if the person does not comply with a provision of an order that is made under subsection 425 (1AA) of the Act and that is expressed to be a penal provision.

Penalty: 50 penalty units.

- (2) An offence against subregulation (1) is an offence of strict liability.

Note For *strict liability*, see section 6.1 of the *Criminal Code*.

5 Uniform Shipping Laws Code — exemptions

If an order makes provision in relation to a matter by applying, adopting or incorporating a provision of the Uniform Shipping Laws Code that has effect by virtue of an order under subsection 427 (2) of the Act, the Authority may exempt:

(a) in writing; and

(b) conditionally or unconditionally;

a ship, or a class of ships, from the application of the provision of the Code.

6 Evidentiary provision

- (1) In this regulation, unless the contrary intention appears:

container has the same meaning as in Division 9 of Part IV of the Act.

Regulation 6

prescribed unit means an article, a package, or a combination of articles or packages into a single package.

- (2) In a prosecution for an offence referred to in regulation 4:
- (a) evidence of a marking (not being a marking referred to in paragraph (b)) borne at a particular time by a prescribed unit, or by a label attached to a prescribed unit (not being a prescribed unit to which a certificate referred to in paragraph (c) relates), purporting to specify the weight of the prescribed unit, is evidence that the weight of the prescribed unit at that time was the weight so specified;
 - (b) evidence of a marking borne by a prescribed unit, or by a label attached to a prescribed unit, purporting to specify the weight of the prescribed unit at a specified time or in specified circumstances is evidence that the weight of the prescribed unit at that time or in those circumstances, as the case may be, is or was the weight so specified;
 - (c) a certificate purporting to be issued by the keeper or person in charge of a weighing machine stating that a prescribed unit has been weighed by the person purporting to issue the certificate and found to be of the weight stated in the certificate is evidence of the facts stated in the certificate; and
 - (d) evidence of a marking borne at a particular time by a container or prescribed unit, or by a label attached to a container or prescribed unit, purporting to specify the contents of the container or prescribed unit is evidence that the contents of the container or prescribed unit, as the case may be, at that time were the contents so specified.

Table of Instruments**Notes to the *Navigation (Orders) Regulations 1980*****Note 1**

The *Navigation (Orders) Regulations 1980* (in force under the *Navigation Act 1912*) as shown in this compilation comprise Statutory Rules 1980 No. 135 amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments. From 1 January 2005 the Statutory Rules series ceased to exist and was replaced with Select Legislative Instruments (SLI series). Numbering conventions remain the same, ie Year and Number.

Table of Instruments

Year and Number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
1980 No. 135	6 June 1980	6 June 1980	
1980 No. 345	4 Dec 1980	4 Dec 1980	—
1981 No. 3	22 Jan 1981	22 Jan 1981	—
1981 No. 379	31 Dec 1981	31 Dec 1981	—
1981 No. 380	1 Dec 1981	31 Dec 1981	—
1982 No. 180	30 July 1982	30 July 1982	—
1982 No. 399	31 Dec 1982	31 Dec 1982	—
1983 No. 156	1 Sept 1983	1 Sept 1983	—
1985 No. 28	21 Mar 1985	21 Mar 1985	—
1986 No. 335	14 Nov 1986	14 Nov 1986	—
1986 No. 336	14 Nov 1986	1 Jan 1987 (<i>see Gazette</i> 1986, No. S665)	—
1986 No. 387	22 Dec 1986	1 Jan 1987 (<i>see Gazette</i> 1986, No. S665)	—
1986 No. 400	12 Jan 1987	12 Jan 1987	—
1990 No. 107	31 May 1990	1 June 1990	—
1991 No. 335	29 Oct 1991	29 Oct 1991	—
1991 No. 429	19 Dec 1991	19 Dec 1991	—
2001 No. 351 (a)	21 Dec 2001	21 Dec 2001	—

Table of Instruments

Year and Number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
2006 No. 359	14 Dec 2006 (see F2006L04053)	15 Dec 2006	—

- (a) Statutory Rules 2001 No. 351 was made under the *Navigation Act 1912*, the *Protection of the Sea (Oil Pollution Compensation Fund) Act 1993*, the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* and the *Shipping Registration Act 1981*.

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 2001 No. 351
R. 2	rs. 1989 No. 399 am. 1991 Nos. 335 and 429
R. 3	am. 1980 No. 345; 1981 Nos. 3 and 380; 1982 No. 180; 1983 No. 156; 1985 No. 28; 1986 Nos. 336 and 387; 1990 No. 107 rep. 1991 No. 335
R. 3A.....	ad. 1982 No. 399 am. 1991 Nos. 335 and 429 rep. 2006 No. 359
R. 4	ad. 1980 No. 345 am. 1981 No. 379; 1983 No. 156; 1986 No. 400; 1991 No. 429 rs. 2001 No. 351 am. 2006 No. 359
R. 5	ad. 1981 No. 379 rep. 1991 No. 335 ad. 1991 No. 429
R. 6	ad. 1986 No. 335