

Marine Safety (General) Exemption Order 2009

Current version for 25 March 2011 to date (accessed 24 February 2012 at 01:21)

Status information

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Currency of version

Current version for 25 March 2011 to date (accessed 24 February 2012 at 01:21).

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

Provisions in force

The provisions displayed in this version of the legislation have all commenced. See [Historical notes](#)

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 25 March 2011.

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.

6 (Repealed)

Historical notes

The following abbreviations are used in the Historical notes:

Am	amended	LW	legislation website	Sch	Schedule
Cl	clause	No	number	Schs	Schedules
ClI	clauses	p	page	Sec	section
Div	Division	pp	pages	Secs	sections
Divs	Divisions	Reg	Regulation	Subdiv	Subdivision
GG	Government Gazette	Regs	Regulations	Subdivs	Subdivisions
Ins	inserted	Rep	repealed	Subst	substituted

Table of amending instruments

Marine Safety (General) Exemption Order 2009 (535). LW 20.11.2009. Date of commencement, on publication on LW, cl 2.
This Order has been amended as follows:

- 2010** (275) Marine Safety (General) Exemption Amendment (Tow Rope Length) Order 2010. LW 25.6.2010.
Date of commencement, on publication on LW, cl 2.
- 2011** (182) Marine Safety (General) Exemption Amendment Order 2011. LW 25.3.2011.
Date of commencement, on publication on LW, cl 2.

Table of amendments

Cl 6 Ins 2010 (275), cl 3. Rep 2011 (182), cl 3.