

Marine Safety Regulation 2003

1 Name of Regulation

This Regulation is the *Marine Safety Regulation 2003*.

2 Commencement

This Regulation commences on 1 July 2003.

3 Definitions

In this Regulation:

"**the Act**" means the *Marine Safety Act 1998*.

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.

Schedule 1 Penalty notice offences

(Clause 4)

Column 1	Column 2
Offences under the	
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

Historical notes

The following abbreviations are used in the Historical notes:

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GG	Government Gazette	Rep	repealed	Subst	substituted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

Table of amending instruments *Marine Safety Regulation 2003* published in Gazette No 104 of 27.6.2003, p 6147 and amended as follows:*Marine Safety Amendment (Transitional) Regulation 2004* (GG No 183 of 19.11.2004, p 8508)

2005	(188)	<i>Marine Safety Amendment (Transitional) Regulation 2005</i> . GG No 54 of 13.5.2005, p 1677. Date of commencement, 13.5.2005, cl 2.
2006	(516)	<i>Marine Safety Amendment (Marine Pollution) Regulation 2006</i> . GG No 111 of 1.9.2006, p 7349. Date of commencement, 1.9.2006, cl 2.

Table of amendments

Cl 5	Ins 19.11.2004. Subst 2005 (188), Sch 1.
Sch 1	Subst 2006 (516), Sch 1.