

## Marine and Safety (General) Regulations 2010

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Marine and Safety Authority Act 1997*.

11 June 2010

PETER G. UNDERWOOD

Governor

By His Excellency's Command,

LARA GIDDINGS

Minister for Infrastructure

### 1. Short title

These regulations may be cited as the *Marine and Safety (General) Regulations 2010*.

### 2. Commencement

These regulations take effect on 1 July 2010.

### 3. Interpretation

In these regulations –

"Act" means the *Marine and Safety Authority Act 1997*;

"AS" means a standard published by Standards Australia as amended or substituted from time to time;

"motor boat" has the same meaning as in the *Marine and Safety (Motor Boats and Licences) By-laws 2008*;

"off-the-beach sailing craft" means a wind-powered craft that is designed to be launched directly from a beach;

"PWC" means a motor boat that –

(a) is designed to use an inboard motor, powering a jet drive, as the principal means of propulsion; and

(b) is designed to be operated by a person standing, crouching or kneeling on it, or sitting astride it, rather than within the confines of it.

### 4. Prescribed craft

For the purpose of paragraph (f) of the definition of "vessel" in section 3 of the Act, each of the following craft is a prescribed craft:

(a) a canoe;

(b) a kayak;

(c) an off-the-beach sailing craft;

(d) a PWC.

## 5. Personal flotation devices

(1) In this regulation –

**"lightweight craft"** means an off-the-beach sailing craft, or a canoe or kayak, that is not also a commercial vessel.

(2) A person who is on a lightweight craft must wear an approved personal flotation device.

Penalty:

Fine not exceeding 5 penalty units.

(3) The master of a motor boat must ensure that a person who is being towed by the motor boat wears an approved personal flotation device.

Penalty:

Fine not exceeding 5 penalty units.

(4) For the purposes of subregulations (2) and (3), an approved personal flotation device is –

(a) for a lightweight craft in sheltered waters or for a motor boat in any waters –

(i) a personal flotation device that meets the requirements of AS 1512 – 1996; or

(ii) a personal flotation device that meets the requirements of AS 1499 – 1996; or

(iii) a personal flotation device that meets the requirements of AS 2260 – 1996; or

(iv) a personal flotation device that meets the requirements of AS 4758.1 – 2008 (for Level 150, Level 100 or Level 50 personal flotation devices or for Level 50 Special purpose personal flotation devices);  
or

(b) for a lightweight craft in waters other than sheltered waters –

(i) a personal flotation device that meets the requirements of AS 1512 – 1996; or

(ii) a personal flotation device that meets the requirements of AS 4758.1 – 2008 (for Level 150 or Level 100 personal flotation devices).

Displayed and numbered in accordance with the [Rules Publication Act 1953](#).

Notified in the *Gazette* on 16 June 2010.

These regulations are administered in the Department of Infrastructure, Energy and Resources.

## Table Of Amendments

<b>Citation</b>	<b>Serial Number</b>	<b>Date of commencement</b>
Marine and Safety (General) Regulations 2010	S.R. 2010, No. 48	1.7.2010