

I certify that this is a copy of the authorised version of this Statutory Rule as at 25 July 2018, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 25 July 2018.

Robyn Webb
Chief Parliamentary Counsel
Dated 1 November 2018

TASMANIA

MARINE AND SAFETY (INFRINGEMENT NOTICES) REGULATIONS 2017

STATUTORY RULES 2017, No. 106

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**MARINE AND SAFETY (INFRINGEMENT
NOTICES) REGULATIONS 2017**

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*.

Dated 19 December 2017.

C. WARNER
Governor

By Her Excellency's Command,

M. T. (RENE) HIDDING
Minister for Infrastructure

1. Short title

These regulations may be cited as the *Marine and Safety (Infringement Notices) Regulations 2017*.

2. Commencement

These regulations take effect on 12 March 2018.

3. Interpretation

In these regulations –

Act means the *Marine and Safety Authority Act 1997*.

4. Offences under *Marine and Safety (Collision) Regulations 2017*

For section 45(1) of the Act –

- (a) an offence against a provision of the *Marine and Safety (Collision) Regulations 2017* specified in column 1 of Schedule 1 is a prescribed offence; and
- (b) the penalty specified in column 2 of that Schedule opposite that provision is the penalty payable under an infringement notice served in respect of that offence.

5. Offences under *Marine and Safety (General) Regulations 2013*

For section 45(1) of the Act –

- (a) an offence against a provision of the *Marine and Safety (General) Regulations 2013* specified in column 1 of Schedule 2 is a prescribed offence; and
- (b) the penalty specified in column 2 of that Schedule opposite that provision is the

penalty payable under an infringement notice served in respect of that offence.

6. Offences under *Marine and Safety (Maritime Incidents) Regulations 2017*

For section 45(1) of the Act –

- (a) an offence against a provision of the *Marine and Safety (Maritime Incidents) Regulations 2017* specified in column 1 of Schedule 3 is a prescribed offence; and
- (b) the penalty specified in column 2 of that Schedule opposite that provision is the penalty payable under an infringement notice served in respect of that offence.

7. Offences under *Marine and Safety (Pilotage and Navigation) Regulations 2017*

For section 45(1) of the Act –

- (a) an offence against a provision of the *Marine and Safety (Pilotage and Navigation) Regulations 2017* specified in column 1 of Schedule 4 is a prescribed offence; and
- (b) the penalty specified in column 2 of that Schedule opposite that provision is the penalty payable under an infringement notice served in respect of that offence.

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sch. 1

**SCHEDULE 1 – OFFENCES UNDER MARINE AND
SAFETY (COLLISION) REGULATIONS 2017**

| | Column 1 | Column 2 |
|----|-----------------|------------------------------------|
| | Offence | Penalty (penalty units) |
| 1. | Regulation 5 | 5 |
| 2. | Regulation 6(2) | 5 |

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sch. 2

**SCHEDULE 2 – OFFENCES UNDER MARINE AND
SAFETY (GENERAL) REGULATIONS 2013**

Regulation 5

| | Column 1 | Column 2 |
|-----|-------------------|------------------------------------|
| | Offence | Penalty (penalty units) |
| 1. | Regulation 5(1) | 1 |
| 2. | Regulation 5(2) | 0.5 |
| 3. | Regulation 5(3) | 0.5 |
| 4. | Regulation 5(4) | 1 |
| 5. | Regulation 6(1) | 1 |
| 6. | Regulation 7(3) | 5 |
| 7. | Regulation 8(2) | 5 |
| 8. | Regulation 9(1) | 1 |
| 9. | Regulation 9(3) | 1 |
| 10. | Regulation 9(5) | 1 |
| 11. | Regulation 10(9) | 2 |
| 12. | Regulation 11B(1) | 2 |
| 13. | Regulation 11B(2) | 2 |
| 14. | Regulation 11B(4) | 2 |
| 15. | Regulation 11B(5) | 2 |

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| | Column 1 | Column 2 |
|-----|-------------------|-----------------|
| 16. | Regulation 11C(2) | 5 |

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sch. 3

**SCHEDULE 3 – OFFENCES UNDER MARINE AND
SAFETY (MARITIME INCIDENTS) REGULATIONS 2017**

Regulation 6

| | Column 1 | Column 2 |
|----|------------------|------------------------------------|
| | Offence | Penalty (penalty units) |
| 1. | Regulation 6(1) | 2 |
| 2. | Regulation 6(2) | 2 |
| 3. | Regulation 15(1) | 2 |
| 4. | Regulation 36(1) | 1 |

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**SCHEDULE 4 – OFFENCES UNDER MARINE AND
 SAFETY (PILOTAGE AND NAVIGATION)
 REGULATIONS 2017**

| | Column 1 | Regulation 7 Column 2 |
|-----|------------------|----------------------------|
| | Offence | Penalty (penalty units) |
| 1. | Regulation 25(1) | 5 |
| 2. | Regulation 27(1) | 2 |
| 3. | Regulation 27(2) | 5 |
| 4. | Regulation 27(3) | 5 |
| 5. | Regulation 29 | 5 |
| 6. | Regulation 30 | 2 |
| 7. | Regulation 31(3) | 5 |
| 8. | Regulation 32 | 2 |
| 9. | Regulation 34(1) | 2 |
| 10. | Regulation 34(2) | 2 |
| 11. | Regulation 36(1) | 5 |
| 12. | Regulation 36(2) | 5 |
| 13. | Regulation 37(1) | 5 |
| 14. | Regulation 37(2) | 5 |

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| | Column 1 | Column 2 |
|-----|------------------|-----------------|
| 15. | Regulation 37(3) | 5 |
| 16. | Regulation 38(1) | 5 |
| 17. | Regulation 38(2) | 5 |
| 18. | Regulation 39 | 5 |
| 19. | Regulation 41(1) | 2 |
| 20. | Regulation 42(1) | 5 |
| 21. | Regulation 44(2) | 2 |
| 22. | Regulation 44(3) | 2 |
| 23. | Regulation 45 | 5 |
| 24. | Regulation 46 | 5 |
| 25. | Regulation 47(1) | 5 |
| 26. | Regulation 47(2) | 5 |
| 27. | Regulation 48 | 5 |
| 28. | Regulation 49 | 5 |
| 29. | Regulation 50(2) | 5 |
| 30. | Regulation 52(1) | 5 |
| 31. | Regulation 52(2) | 5 |
| 32. | Regulation 53(1) | 5 |
| 33. | Regulation 54(1) | 3 |

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| | Column 1 | Column 2 |
|-----|------------------|-----------------|
| 34. | Regulation 54(2) | 3 |
| 35. | Regulation 55(1) | 2 |
| 36. | Regulation 56 | 3 |
| 37. | Regulation 57 | 2 |
| 38. | Regulation 58 | 2 |
| 39. | Regulation 59 | 5 |
| 40. | Regulation 60(1) | 2 |
| 41. | Regulation 61(1) | 2 |
| 42. | Regulation 61(2) | 2 |
| 43. | Regulation 61(3) | 5 |
| 44. | Regulation 62 | 5 |
| 45. | Regulation 63(3) | 2 |
| 46. | Regulation 64(1) | 5 |
| 47. | Regulation 64(2) | 2 |
| 48. | Regulation 65(3) | 5 |
| 49. | Regulation 66 | 3 |
| 50. | Regulation 67(2) | 5 |
| 51. | Regulation 68(1) | 2 |
| 52. | Regulation 68(5) | 2 |

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| | Column 1 | Column 2 |
|-----|------------------|-----------------|
| 53. | Regulation 69 | 2 |
| 54. | Regulation 70 | 2 |
| 55. | Regulation 71(2) | 5 |
| 56. | Regulation 71(4) | 5 |
| 57. | Regulation 71(6) | 5 |
| 58. | Regulation 72 | 5 |
| 59. | Regulation 73 | 2 |
| 60. | Regulation 74(1) | 5 |
| 61. | Regulation 74(2) | 5 |
| 62. | Regulation 75(1) | 2 |
| 63. | Regulation 75(3) | 5 |
| 64. | Regulation 76(1) | 2 |
| 65. | Regulation 77(2) | 5 |
| 66. | Regulation 78(1) | 2 |
| 67. | Regulation 78(5) | 5 |
| 68. | Regulation 79(3) | 5 |
| 69. | Regulation 80(4) | 2 |
| 70. | Regulation 82(1) | 5 |
| 71. | Regulation 83(4) | 5 |

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| | Column 1 | Column 2 |
|-----|------------------|-----------------|
| 72. | Regulation 86(1) | 2 |
| 73. | Regulation 86(2) | 2 |
| 74. | Regulation 88 | 2 |

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 27 December 2017.

NOTES

The foregoing text of the *Marine and Safety (Infringement Notices) Regulations 2017* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 25 July 2018 are not specifically referred to in the following table of amendments.

| Citation | Serial Number | Date of commencement |
|---|--------------------|----------------------|
| ¹ <i>Marine and Safety (Infringement Notices) Regulations 2017</i> | S.R. 2017, No. 106 | 12.3.2018 |
| <i>Marine and Safety (Infringement Notices) Amendment Regulations 2018</i> | S.R. 2018, No. 48 | 25.7.2018 |

¹Expire 27 December 2027 - Subordinate Legislation Act 1992

TABLE OF AMENDMENTS

| Provision affected | How affected |
|--------------------|------------------------------|
| Schedule 2 | Amended by S.R. 2018, No. 48 |