
MARINE/MARITIME

MA301*

Shipping and Pilotage Act 1967
Jetties Act 1926
Western Australian Marine Act 1982

Navigable Waters Amendment Regulations (No. 2) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Navigable Waters Amendment Regulations (No. 2) 2011*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Navigable Waters Regulations 1958*.

4. Regulation 2 amended

- (1) In regulation 2 delete the definition of *navigable waters*.
- (2) In regulation 2 insert in alphabetical order:

navigable waters means —

- (a) the territorial sea adjacent to the State; and
- (b) the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State; and
- (c) waters within the limits of the State on which any vessel or any type of marine craft can be navigated;

territorial sea means the territorial sea determined under the *Seas and Submerged Lands Act 1973* (Commonwealth);

5. Regulation 51C amended

In regulation 51C delete “department.” and insert:

chief executive officer.

6. Regulation 52CA amended

(1) In regulation 52CA(1):

(a) delete “department under regulation 51C” and insert:

chief executive officer under regulation 51C

(b) in paragraph (a) delete “department” and insert:

chief executive officer

(c) in paragraph (b) delete “department.” and insert:

chief executive officer.

(2) In regulation 52CA(2), delete “department may, upon written application, grant an exemption described in subregulation (1)(a) if it” and insert:

chief executive officer may, upon written application, grant an exemption described in subregulation (1)(a) if he or she

(3) In regulation 52CA(3) delete “department may refuse to grant an exemption under subregulation (2), it shall not grant an exemption unless it” and insert:

chief executive officer may refuse to grant an exemption under subregulation (2), he or she shall not grant an exemption unless he or she

Note: The heading to amended regulation 52CA is to read:

Chief executive officer may grant exemption from compliance with regulations 52A, 52B and 52C

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.
