

MX301*

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

Navigable Waters Amendment Regulations (No. 3) 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Navigable Waters Amendment Regulations (No. 3) 2010*.

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 3 amended

In regulation 3(2) delete “52A” and insert:

52B

5. Regulation 46 amended

- (1) In regulation 46(2) insert in alphabetical order:

Level 50 means a personal flotation device classified as such by the Australian Standard AS 4758;

Level 50S (Special) means a personal flotation device classified as such by the Australian Standard AS 4758;

Level 100 means a personal flotation device classified as such by the Australian Standard AS 4758;

Level 150 means a personal flotation device classified as such by the Australian Standard AS 4758;

Level 275 means a personal flotation device classified as such by the Australian Standard AS 4758;

SOLAS jacket means a jacket that meets the standards of the current International Convention for the Safety of Life at Sea;

- (2) In regulation 46(3):

- (a) delete “boats” insert:

boats, regulation 52A applies to or in relation to all vessels except commercial vessels

- (b) delete “52A to” and insert:

52B to

6. Regulation 46A inserted

After regulation 46 insert:

46A. Personal flotation devices

- (1) In this Part, where a personal flotation device of a particular type is described as an appropriate personal flotation device, an equivalent or a higher buoyancy personal flotation device defined in regulation 46(2) is also appropriate for the particular circumstance.
- (2) For the purposes of this Part —
 - (a) a Level 100, a Level 150, a Level 275 and a SOLAS jacket all have a buoyancy equivalent to or higher than a PFD Type 1; and
 - (b) a Level 50, a Level 100, a Level 150, a Level 275 and a SOLAS jacket all have a buoyancy equivalent to or higher than a PFD Type 2; and
 - (c) a Level 50S, a Level 100, a Level 150, a Level 275 and a SOLAS jacket all have a buoyancy equivalent to or higher than a PFD Type 3; and
 - (d) a PFD Type 3 has a buoyancy equivalent to a PFD Type 2.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.
