

MX302*

Shipping and Pilotage Act 1967

Navigable Waters Amendment Regulations (No. 2) 2008

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations are the *Navigable Waters Amendment Regulations (No. 2) 2008*.

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 1 February 2009.

3. The regulations amended

The amendments in these regulations are to the *Navigable Waters Regulations 1958*.

4. Regulation 52BAB amended

(1) Regulation 52BAB(1) and (1a) are repealed and the following subregulations are inserted instead —

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(1A) In this regulation —

“**AS/NZS**”, followed by a designation means the Australian/New Zealand Standard having that designation that is jointly published by Standards Australia and the Standards Council of New Zealand;

“**MS 241**” means the Ministerial Standard for Emergency Position Indicating Radio Beacons, made by the Federal Minister under the *Radiocommunications Act 1983* of the Commonwealth section 9;

“**prescribed standard**” means —

- (a) AS/NZS 4280.1:2003; or
- (b) until 1 February 2009 — MS 241 or AS/NZS 4330:1995.

(1) The owner of a vessel that proceeds more than 2 nautical miles from the mainland, or more than 400 m from an island situated more than 2 nautical miles from the mainland, must ensure that the vessel is equipped with an Emergency Position Indicating Radio Beacon that —

- (a) complies with a prescribed standard; and
- (b) is registered with the Australian Maritime Safety Authority established under the *Australian Maritime Safety Authority Act 1990* of the Commonwealth section 5.

”.

(2) Regulation 52BAB(2) is amended by deleting “this regulation” and inserting instead —

“ subregulation (1) ”.

By Command of the Lieutenant-Governor and
deputy of the Governor,

G. M. PIKE, Clerk of the Executive Council.