

**WESTERN AUSTRALIAN MARINE ACT 1982; JETTIES ACT 1926;  
SHIPPING AND PILOTAGE ACT 1967**

**NAVIGABLE WATERS AMENDMENT REGULATIONS (No. 2) 1990**

Made by His Excellency the Lieutenant-Governor and Administrator in Executive Council.

**Citation**

1. These regulations may be cited as the *Navigable Waters Amendment Regulations (No. 2) 1990*.

**Principal regulations**

2. In these regulations the *Navigable Waters Regulations\** are referred to as the principal regulations.

[\*Reprinted in the Gazette on 21 December 1981 at pp. 5283-5306. For amendments to 3 April 1990 see pp. 358-359 of Index to Legislation of Western Australia and the Gazettes of 13 January, 30 June and 25 August 1989.]

**Regulation 3A inserted**

3. The principal regulations are amended by inserting after regulation 3 the following regulation—

**When emergency vessels exempt**

- “ 3A. A provision of these regulations does not apply to a vessel if it—
- (a) has been declared to be an emergency vessel under regulation 19H;
  - (b) is being used as an emergency vessel in accordance with the terms of that declaration; and
  - (c) the provision is one from which the vessel is exempt under regulation 19H (2) (b). ”.

**Regulations 19H and 19I inserted**

4. The principal regulations are amended by inserting after regulation 19G the following regulations—

**Declaration of emergency vessel**

- “ 19H. (1) The General Manager may, by notice published in the *Government Gazette*, declare a specific vessel to be an emergency vessel for the purposes of these regulations.
- (2) A declaration under subregulation (1) may specify—
- (a) the areas within which the vessel may operate as an emergency vessel;
  - (b) that these regulations, or specified provisions of these regulations, do not apply, in any circumstances or in specified circumstances, to that vessel while it is being used as an emergency vessel;
  - (c) when a lamp displaying intermittent blue flashes may be used on that vessel;
  - (d) the persons entitled to operate the vessel under emergency conditions; and
  - (e) such other matters as the General Manager considers expedient.
- (3) The General Manager may amend or revoke a declaration made under subregulation (1) by the publication of a subsequent notice in the *Government Gazette*.

**Flashing blue lamps**

19I. (1) A person shall not fit to a vessel a lamp that is capable of intermittent blue flashes unless that vessel has been declared to be an emergency vessel under regulation 19H.

Penalty: \$200.

(2) A person shall not cause a lamp displaying intermittent blue flashes to be used on a vessel unless—

- (a) that vessel has been declared to be an emergency vessel under regulation 19H; and
- (b) the lamp is used in accordance with the terms of that declaration.

Penalty: \$200. ”.

By His Excellency's Command,

G. PEARCE, Clerk of the Council.