Western Australia

Rottnest Island Authority Act 1987

Rottnest Island Regulations 1988

As at 01 Jul 2026 Official Version
[PCO 06-l0-00] Published on www.legislation.wa.gov.au

Western Australia

Rottnest Island Regulations 1988

Contents

Part 1 — Preliminary

1.	Citation	1
2.	Commencement	1
3.	Terms used	1
4.	Permission, meaning, granting etc. of	4

Part 2 — Fees

5.	Admission fees	6
6.	Collection and payment of admission fees by ferry operators	7
6A.	Audit of accounts etc. of certain transport operators as to admission fees	8
7.	Annual fee for non-commercial vessels etc. in lieu of admission fees	8
7A.	Payment of admission fees by domestic commercial vessel operators	9
7B.	Aerodrome usage fees	10
7C.	Annual fees for certain aircraft in lieu of admission fees and aerodrome usage fees	11
7D.	Exceptions to r. 7B and 7C	11
7E.	Recovery of fees	12

Part 3 — Residence on Island

8.	Licence to occupy accommodation	13
9.	Casual residence on Island	14
10.	Conditions on r. 8 licences	14

Part 4 — Moorings

Division 1 — General control provisions

11. Installing and using moorings 16
12. Anchoring vessels 17
13A. Securing vessel by means of another vessel's anchor 17
13. Anchored and moored vessels to have competent operators 18
14. Application of r. 11, 12 and 13 to person on vessel 18

Division 2 — Rental moorings

15. Licence to occupy rental mooring 19
16. Rent for r. 15 licence 19
17. Cancellation of r. 15 licence 20
18. Damage to rental mooring 20

Division 3 — Mooring site licences

19. Terms used 21
19A. Authorisation to be secured to mooring 22
20. Application for and grant of licences 22
21. Waiting lists of applicants 25
22. Offer and acceptance of licences 26
23. Authority not obliged to offer licence 28
24. Licences, issue and content of 28
25. Register of licences 28
26. Licensed vessels for mooring site moorings; substituting vessels 30
27. Additional vessels for mooring site moorings, registration of etc. 33
28. Mooring specifications, compliance requirements as to 34
28A. Authority may reject mooring inspection report 35
29. Unattended vessels on mooring site mooring 35
30. Licences, nature of, duties of holder on cessation of; exchange of sites 36
31A. Authorised user may use mooring site with licensee's consent 38
31B. How licensee authorises person to be authorised user of mooring site 38
31C. How Authority authorises person to be authorised user of mooring site 39

31D. Changing authorised user's authorised vessel 40
31E. Annual payments by authorised users 41
31F. Revoking etc. authorisation given under r. 31B or 31C 41
32. Term of licences; cancelling licences 42
33. Renewing licences 44
34. Directions to licensees by Authority 44
35. Rebates of fees etc. in some cases 45
35B. Notices may be affixed to vessel etc. 46

Part 5 — General management

Division 1 — Control and regulation of access

36. Restricted areas, protected areas and closed tracks etc. 47

Division 1A — Vessels

36A. Mooring vessels to land; beach anchors 48
37. Beaching vessels in some circumstances 48
38. Boats on lakes 50
38A. Speed restrictions for vessels 50
38BA. Restricting use of certain vessels to specified areas 50
38B. Areas may be set aside for specified vessels 51
38C. Black water from vessels 51

Division 1B — Main jetty

38D. Term used: officer 52
38E. Signs may prohibit use of main jetty 52
38F. Approval to berth commercial vessel at main jetty 52
38G. Main jetty berthing fee 53
38H. Duties of master of commercial vessel 54
38I. Work on main jetty 54
38J. Repairs to vessel at main jetty 55
38K. Berthing at main jetty generally 55
38L. Berthing at commercial area of main jetty 55
38M. Officer may direct that vessel be moved from main jetty 56
38N. Bringing vehicle onto main jetty 57
38O. Signs or markings on main jetty 57
38P. Fishing from main jetty 58
38Q. Hire, lease or sale of goods on main jetty 58
38R. Use of amplified sound on main jetty 58

38S.	Interfering with person on main jetty	59
38T.	Gangways to be provided on vessel berthing at main jetty	59
38U.	Prohibited conduct on main jetty	59
38V.	Interfering with main jetty and its operations	60
	Division 2 — Protection of flora, fauna, etc.	
39.	Flora etc., protection of	60
40.	Fauna, protection of	60
41.	No animal or bird to be landed on Island	61
41A.	Fauna, feeding of	61
41B.	No flora to be brought to Island	62
42.	Rocks and soil, protection of	62
	Division 3 — Vehicles	
43.	Application of road laws	63
44.	Traffic signs and directions	63
45.	Restriction on bringing vehicles to Island	64
46.	Use of vehicles	65
49.	Vehicles on beaches	65
50.	Emergency vehicles	65
51.	Possession of hired bicycles	66
	Division 4 — Control of certain activities	
52.	Erection of structures and tents	67
53.	Organized events and meetings	67
54.	Photography for commercial purposes	68
55.	Bill sticking, advertising etc.	68
56.	Distribution of printed matter	69
57.	Unauthorised sale etc. of goods or services	69
58.	Exception to r. 55 and 56	69
59.	Weapons etc.	69
60.	Fires	70
60A.	Sandboarding	71
60B.	Litter	71
	Division 5 — Protection of certain undertakings	
61.	Water supply facilities, protection of	72
62.	Electricity and gas supply facilities, protection of	73
	Part 6 — Rottnest aerodrome	
63.	Terms used	74
64.	Use and closure of aerodrome	74

65. Access to aerodrome 74
66. Aircraft landings etc. restricted to aerodrome 75
67. Parking of aircraft 75
68. Removing certain persons from aerodrome 75

Part 7 — Offensive behaviour

69. Damage to property 77
70. Assaults, indecent language, offensive behaviour etc. 77
71. Unreasonable noise 78
72. Possession of liquor at Kingstown Barracks prohibited 78
72AA. Ranger may direct person to stop activity 79

Part 8 — Miscellaneous

72A. Adequate insurance cover, specification of 80
73. Infringement notices 81
74. Abandoned or dangerous property, removal of 81
74A. False information 82
74B. Offences relating to stickers and documents issued by Authority 83
74C. Offences relating to documents issued by mooring site licensee 83
75. Repeal and transitional provisions 84

Schedule 1 — Forms

Form 2

Form 3

Schedule 2

Part A — Water catchment area

Part B — Waste-water treatment facility

Schedule 3

Rottnest aerodrome

Schedule 4A — Kingstown Barracks

Schedule 4 — Offences to which modified penalties apply

Schedule 6 — Aerodrome usage fees

Schedule 7 — Miscellaneous fees

Division 1 — Admission fees

Division 2 — Mooring site licences

Division 3 — Authorised user payment

Schedule 8 — Berthing fee for main jetty

Notes

Compilation table 104
Other notes 108

Defined terms

Rottnest Island Regulations 1988

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Rottnest Island Regulations 1988*.

2. Commencement

These regulations shall come into operation on the day on which the *Rottnest Island Authority Act 1987* comes into operation.

3. Terms used

In these regulations, unless the contrary intention appears —

adequate insurance cover, in relation to a vessel, means adequate insurance cover of a kind specified by notice under regulation 72A(1);

anchor, a vessel, means to secure the vessel to the seabed or a beach by lowering from the vessel to the seabed or beach an anchor that, once lowered, can be taken back on board the vessel;

annual admission payment means the annual payment in lieu of admission fees referred to in regulation 7;

approved means approved by the Authority;

approved form means a form approved by the Authority;

bicycle has the meaning given in the *Road Traffic Code 2000* section 3(1);

certificate of registration means a certificate of registration issued under the *Navigable Waters Regulations 1958* [1];

commercial aircraft means an aircraft in which persons are carried for reward;

commercial vessel has the meaning given in the *Western Australian Marine Act 1982* section 3(1);

declare and ***declared*** mean declare or declared to, and in a manner approved by, the Authority;

domestic commercial vessel has the meaning given in the Marine Safety (Domestic Commercial Vessel) National Law section 7;

ferry means a vessel licensed under the *Transport Co-ordination Act 1966* section 47AA;

journey, to the Island, means to enter within the limits of the Island but does not include —

(a) in the case of a vessel — to transit through the limits of the Island in the course of one continuous voyage; or

(b) in the case of an aircraft — to enter within the limits of the Island without landing;

length, in relation to a vessel, means —

(a) in the case of a vessel that is registered under the *Navigable Waters Regulations 1958* [1] —

(i) the length of the vessel specified in the certificate of registration of that vessel; or

(ii) if the Authority is not satisfied as to the accuracy of that registered length, the length determined under paragraph (b);

and

(b) in any other case, the distance from the fore part of the hull to the after part of the hull taken at the upperside of the uppermost weathertight deck or, in the case of an open vessel, at the height of the gunwale;

liquor has the meaning given in the *Liquor Control Act 1988* section 3(1);

main jetty means the main jetty at Thomson Bay on the Island and includes the wharf and any jetty extending from the main jetty and the associated barge loading and hard stand areas;

Marine Safety (Domestic Commercial Vessel) National Law means the Marine Safety (Domestic Commercial Vessel) National Law applying as a law of the Commonwealth because of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (Commonwealth) section 4;

mooring means any gear (including an anchor, stake, pylon or part of a jetty) set out on the seabed in a permanent manner to which a vessel or other floating structure may be secured by a chain, cable, wire or rope;

mooring area means each of the following —

Porpoise Bay, Thomson Bay, Geordie Bay, Longreach Bay, Catherine Bay, Stark Bay, Narrow Neck and Marjorie Bay;

mooring site means a mooring site recorded in the register;

mooring site licence means a licence granted under regulation 20;

mooring site licensee means a person who holds a mooring site licence;

operator, of a vessel, or aircraft, means a person in charge, owner, charterer, lessee or bailee of the vessel or aircraft;

overall length, in relation to a vessel, means the length of the vessel plus any bow sprit or marlin board;

permanent resident means a person resident on the Island for the purpose of —

(a) any business undertaking authorised by the Authority; or

(b) his employment on the Island,

and includes a dependant of any such person;

register means the register referred to in regulation 25;

rental licence means a licence granted under regulation 15;

rental mooring means a mooring designated by the Authority as a rental mooring;

use in relation to a vehicle includes driving a vehicle and riding or pushing a bicycle;

vehicle has the meaning given in the *Road Traffic (Administration) Act 2008* section 4;

vessel means any floating object capable of carrying a person but does not include —

(a) surfboards; or

(b) windsurfing boards; or

(c) canoes; or

(d) surfskis; or

(e) other non-motorized recreational flotations of a similar nature;

waters of the Island means the waters referred to in section 4(b) of the Act.

[Regulation 3 amended: Gazette 30 Dec 1994 p. 7347; 4 Jul 1997 p. 3510-11; 15 Oct 2010 p. 5176; 17 Dec 2010 p. 6359-60; 25 Oct 2011 p. 4513; 24 Jan 2014 p. 113; 8 Jan 2015 p. 149; 22 Sep 2015 p. 3849-50.]

4. Permission, meaning, granting etc. of

(1) Where in these regulations provision is made whereby an act or activity shall not be done or carried on without permission the reference to permission is to the permission of the Authority.

(2) For the purposes of any such provision, the Authority may refuse permission or in the exercise of the power to grant permission may —

(a) grant permission generally or for any specific instance;

(b) grant permission on and subject to such terms and conditions as it thinks fit including provision as to —

(i) the part of the Island to which the permission applies; or

(ii) the class or description of persons to whom the permission extends; or

(iii) the payment of any fee or charge whether before the act or activity commences or otherwise,

and the Authority may amend or revoke a permission which has been granted.

(3) A permission shall be in writing and shall be obtained before the act is done or the activity is commenced.

(4) Where a permission has been given to a person subject to any condition the permission shall be deemed, in any prosecution against that person, to have lapsed during any period when the condition was not observed or performed according to its tenor by that person.

Part 2 — Fees

[Heading inserted: Gazette 29 Jun 2004 p. 2546.]

5. Admission fees

(1) Subject to subregulation (5), an admission fee set out in Schedule 7 is payable in respect of every person who undertakes a journey to the Island.

[(2) deleted]

(3) The admission fee is payable —

(a) in the case of a passenger on a ferry or domestic commercial vessel, by the operator of the ferry or vessel in accordance with regulation 6 or 7A; and

(b) in the case of any other person, by that person as soon as is practicable after he enters within the limits of the Island.

(4) A person referred to in subregulation (3)(b) shall not fail or refuse to pay an admission fee payable by him under this regulation.

Penalty: a fine of $750.

(5) An admission fee is not payable in respect of a person —

(a) who is under 4 years of age; or

(b) who is a member of the Authority; or

(c) who is a permanent resident on the Island; or

(d) who is a member of the crew of a domestic commercial vessel or commercial aircraft; or

(e) who has paid an admission fee and has not returned to the mainland since that payment was made.

(6) The Authority may reduce, waive or refund, in whole or in part, an admission fee in circumstances it considers appropriate.

[Regulation 5 amended: Gazette 9 Nov 1990 p. 5589; 14 Jun 1991 p. 2914; 29 Oct 1993 p. 5928; 14 Dec 1993 p. 6667; 4 Jul 1997 p. 3511; 24 Apr 2003 p. 1272; 8 Dec 2009 p. 5002; 22 Sep 2015 p. 3850; 25 Oct 2016 p. 4874; 21 Dec 2018 p. 4854.]

6. Collection and payment of admission fees by ferry operators

(1) An operator of a ferry must —

(a) before the ferry enters within the limits of the Island, collect, or cause to be collected, from each passenger on the ferry the admission fee provided for by regulation 5; and

(b) remit fees collected under paragraph (a) to the Authority no later than 7 days after the last day of each collection period, in respect of fees collected during that collection period.

Penalty: a fine of $1 000.

(2) In subregulation (1)(b) —

collection period means a period of 7 days commencing on a Wednesday and ending on a Tuesday.

(3) The fees must be remitted under subregulation (1)(b) together with a return made in an approved form that is duly completed.

(4) A person must not pass to another person his or her ticket for travel to the Island on a ferry with the intention of providing false evidence that the other person has paid an admission fee.

Penalty: a fine of $750.

(5) If an operator of a ferry fails to remit to the Authority the amount of any admission fees collected or required to be collected by the operator under subregulation (1), the Authority

may recover from the operator the amount that has not been remitted in a court of competent jurisdiction.

[Regulation 6 inserted: Gazette 22 Sep 2015 p. 3851.]

6A. Audit of accounts etc. of certain transport operators as to admission fees

(1) The Authority may cause the accounts and records of admission fees collected by the operator of a ferry or domestic commercial vessel who is required to remit admission fees under regulation 6(1)(b) or 7A(6)(b) to be audited.

(2) An operator of a ferry or domestic commercial vessel must not —

(a) refuse or fail to provide to the Authority, within the time specified by the Authority, accounts and records requested by the Authority for the purpose of an audit under subregulation (1); or

(b) hinder or obstruct the Authority in the conduct of an audit under subregulation (1).

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 6A inserted: Gazette 24 Apr 2003 p. 1272; amended: Gazette 22 Sep 2015 p. 3851-2 and 3862; 25 Oct 2016 p. 4875; 21 Dec 2018 p. 4854.]

7. Annual fee for non-commercial vessels etc. in lieu of admission fees

(1) Where —

(a) in respect of any vessel (not being a vessel in which persons are usually carried for reward) the relevant payment set out in Schedule 7 is paid in respect of any year, or part of a year, ending on 31 August following the payment; and

(b) an adhesive sticker issued by the Authority on receipt of that amount is exhibited on that vessel in such a position as to be clearly visible from the exterior,

a person who is carried to the Island on that vessel during that year is taken to have paid the admission fee required under regulation 5.

(2) A person who is in charge of the vessel must ensure that the adhesive sticker is exhibited on the vessel in accordance with subregulation (1)(b) while the vessel is moored within the limits of the Island.

Penalty for an offence under this subregulation: a fine of $750.

[Regulation 7 inserted: Gazette 4 Jul 1997 p. 3511; amended: Gazette 17 Dec 2010 p. 6360; 22 Sep 2015 p. 3852; 25 Oct 2016 p. 4875.]

7A. Payment of admission fees by domestic commercial vessel operators

(1) An operator of a domestic commercial vessel may, in an approved form apply to the Authority for a permit to use the vessel to undertake journeys to the Island.

(2) The application must be accompanied by the annual permit fee set out in Schedule 7.

(3) On granting the permit, the Authority must issue to the operator of the domestic commercial vessel an adhesive sticker evidencing the grant of the permit.

(4) A person who is in charge of the domestic commercial vessel must, at all times that the vessel is within the limits of the Island, ensure that the adhesive sticker is exhibited on the vessel in such a position as to be clearly visible from the exterior.

Penalty: a fine of $1 000.

(5) The operator of the domestic commercial vessel must ensure that each journey by the vessel to the Island is registered in an approved form with the Authority.

Penalty: a fine of $1 000.

(6) The operator of the domestic commercial vessel must —

(a) before the vessel enters within the limits of the Island, collect, or cause to be collected, from each passenger on the vessel the admission fee provided for by regulation 5; and

(b) remit fees collected under paragraph (a) to the Authority in respect of the journey.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 7A inserted: Gazette 22 Sep 2015 p. 3852-3; amended: Gazette 25 Oct 2016 p. 4875.]

7B. Aerodrome usage fees

(1) Subject to regulations 7C and 7D, the operator of an aircraft in which persons are carried to the Island shall pay to the Authority, for each occasion when the aircraft lands at the Island, the aerodrome usage fee set out in Schedule 6 item 1.

(2) If the operator of an aircraft pays the aerodrome usage fee under subregulation (1), a person who is carried to the Island in the aircraft shall be deemed to have paid the admission fee prescribed by regulation 5.

[Regulation 7B inserted: Gazette 30 Dec 1994 p. 7348; amended: Gazette 29 Jul 2011 p. 3144; 22 Sep 2015 p. 3853; 21 Dec 2018 p. 4854.]

7C. Annual fees for certain aircraft in lieu of admission fees and aerodrome usage fees

(1) Subject to regulation 7D, the operator of an aircraft in which persons are carried to the Island may pay to the Authority, in respect of a financial year —

(a) the annual admission fee set out in Schedule 7 item 5; and

(b) the annual aerodrome usage fee set out in Schedule 6 item 2.

(2) If the operator of an aircraft has paid the annual admission fee and annual aerodrome usage fee under subregulation (1) in respect of a financial year —

(a) a person who is carried to the Island in that aircraft during the financial year is taken to have paid the admission fee required under regulation 5; and

(b) the operator is not required to pay the aerodrome usage fee required under regulation 7B(1) for any occasion during the financial year when the aircraft lands at the Island.

(3) If the annual admission fee and annual aerodrome usage fee under subregulation (1) are paid during the financial year to which the fees relate, a reference in subregulation (1) or (2) to the financial year is to be read as a reference to the period beginning on the day on which the fee is paid and ending on 30 June in the financial year.

[Regulation 7C inserted: Gazette 21 Dec 2018 p. 4855; amended: SL 2020/118 r. 4.]

7D. Exceptions to r. 7B and 7C

(1) Regulations 7B and 7C do not apply —

(a) in respect of an aircraft operated as part of a regular passenger transport service to the Island; or

(b) in respect of an aircraft, operated by an approved domestic commercial vessel operator, in which persons are carried for reward from, and returned to, the Island without the aircraft having landed outside the limits of the Island.

(2) The aerodrome usage fee, if any, payable by the operator of an aircraft referred to in subregulation (1) that lands at the Island is as determined from time to time by the Authority.

[Regulation 7D inserted: Gazette 30 Dec 1994 p. 7348; amended: Gazette 4 Jul 1997 p. 3512; 22 Sep 2015 p. 3853.]

7E. Recovery of fees

A fee payable under these regulations is recoverable in a court of competent jurisdiction as a debt due to the Authority.

[Regulation 7E inserted: Gazette 22 Sep 2015 p. 3853.]

Part 3 — Residence on Island

8. Licence to occupy accommodation

(1) The Authority may grant to a person a licence to occupy specified accommodation on the Island for a period specified in the licence.

(2) The rent payable for a licence to occupy accommodation during any period shall be calculated at such rate as the Authority may from time to time determine for the occupation of that accommodation during that period.

(3) A licence under subregulation (1) —

(a) may be granted subject to such conditions as the Authority thinks fit; and

(b) is not transferable and shall not vest by operation of law in any other person.

(4) The Authority may, by notice in writing served on the licensee, forthwith cancel a licence if it is satisfied on reasonable grounds that the licensee has —

(a) failed to comply with a condition of the licence; or

(b) committed an offence against the Act or these regulations,

or has permitted or suffered some other person to do any of those things.

(5) The rent paid for a licence that is cancelled under subregulation (4) is not refundable, in whole or in part.

(6) Part VII of the *Property Law Act 1969* does not apply to a licence granted under this regulation.

(7) In this regulation and in regulations 9 and 10 ***accommodation*** includes a camping site in the camping ground on the Island.

9. Casual residence on Island

(1) A person shall not take up casual residence within the limits of the Island except —

(a) as the guest of a permanent resident; or

(b) as a guest at the Rottnest Lodge Resort or the Rottnest Island Hotel; or

(c) in accommodation specified in a licence granted to him under regulation 8; or

(d) with the consent of that other person, in accommodation specified in a licence granted under regulation 8 to some other person; or

(e) in a vessel that —

(i) is anchored; or

(ii) is secured to a rental mooring, or a mooring on a mooring site, and is authorised to be so secured under Division 2 or 3 of Part 4.

Penalty: a fine of $1 000.

(2) For the purposes of this regulation, a person, not being a permanent resident, is deemed to have taken up casual residence within the limits of the Island if he remains there between sunset and sunrise without apparent means of taking his departure.

[Regulation 9 amended: Gazette 4 Jul 1997 p. 3512; 22 Sep 2015 p. 3863.]

10. Conditions on r. 8 licences

(1) Without limiting regulation 8(3)(a) it is condition of every licence granted under that regulation that the licensee —

(a) shall keep the accommodation and its surrounds in a reasonable state of cleanliness; and

(b) shall notify the Authority as soon as is practicable of any damage to the accommodation or its surrounds; and

(c) shall not intentionally or negligently cause or permit damage to the accommodation or its surrounds.

(2) In this regulation ***accommodation*** includes chattels provided with the accommodation.

Part 4 — Moorings

[Heading inserted: Gazette 4 Jul 1997 p. 3512.]

Division 1 — General control provisions

[Heading inserted: Gazette 4 Jul 1997 p. 3512.]

11. Installing and using moorings

(1) A person shall not without permission —

(a) install a mooring for a vessel in the waters of the Island; or

(b) secure a vessel, or allow it to remain secured, to a mooring that is installed without such permission.

Penalty: a fine of $1 000.

(2) A person shall not secure a vessel, or allow it to remain secured, to a mooring in the waters of the Island unless —

(a) the vessel is authorised under Division 2 or 3 to be secured to that mooring; and

(b) the vessel exhibits, so that it is clearly visible from the exterior of the vessel —

(i) an adhesive sticker issued for that vessel under Division 3; or

(ii) a rental licence specifying that vessel.

Penalty: a fine of $750.

(3) A person must not, without permission, secure a vessel, or allow it to remain secured, to —

(a) a mooring to which a vessel is already secured; or

(b) a vessel that is secured to a mooring.

Penalty: a fine of $750.

(4) Subregulation (3) does not apply so as to prohibit a vessel with an overall length of up to 3.75 m from being secured to another vessel.

[Regulation 11 inserted: Gazette 4 Jul 1997 p. 3512-13; amended: Gazette 8 Dec 2009 p. 5002; 22 Sep 2015 p. 3863; 25 Oct 2016 p. 4875.]

12. Anchoring vessels

(1) A person shall not anchor a vessel, or allow it to remain anchored, unless the vessel lies in a position where —

(a) no part of the vessel, or a vessel attached to it, is closer than 50 m to any mooring; and

(b) the vessel, or a vessel attached to it, does not obstruct or interfere with access to a mooring.

Penalty: a fine of $750.

(2) Subregulation (1) does not apply in respect of a vessel that is required to anchor contrary to that subregulation to avoid or mitigate danger to human life or significant damage to property.

[Regulation 12 inserted: Gazette 4 Jul 1997 p. 3513; amended: Gazette 8 Dec 2009 p. 5002.]

13A. Securing vessel by means of another vessel's anchor

(1) A person must not secure a vessel, or allow it to remain secured, to an anchor lowered from another vessel.

Penalty: a fine of $750.

(2) Subsection (1) applies whether or not the anchor is still attached to the vessel from which it was lowered.

(3) Subregulation (1) does not apply in respect of a vessel that is secured to a mooring comprising an anchor.

[Regulation 13A inserted: Gazette 25 Oct 2011 p. 4513.]

13. Anchored and moored vessels to have competent operators

(1) A person shall not anchor a vessel or secure it to a mooring, or allow it to remain so anchored or secured, unless a competent operator of the vessel —

(a) is within the limits of the Island; and

(b) if the vessel remains so anchored or secured overnight, resides on the vessel or in casual residence on the Island under regulation 9.

Penalty: a fine of $750.

(2) In subregulation (1) —

competent operator, in relation to a vessel, means an individual who —

(a) is over 18 years of age; and

(b) is capable of operating the vessel; and

(c) has responsibility for the vessel.

[Regulation 13 inserted: Gazette 4 Jul 1997 p. 3513; amended: Gazette 4 Jan 2013 p. 23.]

14. Application of r. 11, 12 and 13 to person on vessel

For the purposes of regulations 11, 12 and 13, a person who is on a vessel that is anchored, or secured to a mooring, is taken to allow it to remain so secured or anchored unless the person shows to the satisfaction of the Authority that —

(a) the person does not have responsibility for the vessel; and

(b) another person is properly responsible for the vessel.

[Regulation 14 inserted: Gazette 4 Jul 1997 p. 3513; amended: Gazette 19 Jun 1998 p. 3302.]

Division 2 — Rental moorings

[Heading inserted: Gazette 4 Jul 1997 p. 3513.]

15. Licence to occupy rental mooring

(1) The Authority may, on application under subregulation (2), grant to the applicant a licence for the use of a specified rental mooring by a specified vessel for a specified period.

(2) An application shall be —

(a) made by an individual over the age of 18 years; and

(b) in an approved form that is duly completed.

(3) A rental licence may be granted on such conditions as the Authority thinks fit.

(4) A vessel is authorised to be secured to a rental mooring during any period if a rental licence for the use of that particular rental mooring by that vessel for that period is of effect.

(5) A rental licence is not transferable.

(6) In subregulation (1) —

specified means specified in the licence.

[Regulation 15 inserted: Gazette 4 Jul 1997 p. 3513-14.]

16. Rent for r. 15 licence

(1) The rent payable for a rental licence during any period shall be calculated at such rate as the Authority may determine for use of that rental mooring during that period.

(2) If a licensee cancels a rental licence before the rental period specified in the licence has commenced, the Authority —

(a) may retain as a cancellation fee an amount of the rent determined by the Authority; and

(b) shall refund or credit to the licensee the balance of the rent.

(3) No rent is refundable or to be credited in respect of a licence cancelled under regulation 17 or cancelled after the rental period specified in the licence has commenced.

[Regulation 16 inserted: Gazette 4 Jul 1997 p. 3514; amended: Gazette 5 Apr 2016 p. 1028.]

17. Cancellation of r. 15 licence

The Authority may, by written notice given to the licensee, cancel a rental licence if it is satisfied on reasonable grounds that the licensee has —

(a) failed to comply with a condition of the licence; or

(b) committed an offence under the Act or these regulations,

or caused or permitted another person to do any of those things.

[Regulation 17 inserted: Gazette 4 Jul 1997 p. 3514.]

18. Damage to rental mooring

(1) If a rental mooring is damaged or destroyed (the ***loss***) during the period of a rental licence granted in respect of that rental mooring, the cost of repair or replacement is a debt due to the Authority by the licensee and is recoverable in a court of competent jurisdiction unless the licensee can show that —

(a) the loss was caused by the act or omission of some other person; and

(b) the licensee could not have prevented the loss by the exercise of reasonable care.

(2) For the purposes of subregulation (1), the loss is taken to have occurred during the period of the licence if —

(a) the mooring is found to be damaged or destroyed at the end of the rental period specified in the licence; and

(b) the licensee did not report the loss to the Authority at the commencement of the rental period.

[Regulation 18 inserted: Gazette 4 Jul 1997 p. 3514-15.]

Division 3 — Mooring site licences

[Heading inserted: Gazette 4 Jul 1997 p. 3515.]

19. Terms used

In this Division, unless the contrary intention appears —

additional vessel, in relation to a mooring site, has the meaning given in regulation 27(2);

authorised user, in relation to a mooring site, means a person who is recorded in the register under regulation 31B(5) or 31C(4) as an authorised user of the mooring site;

authorised vessel, in relation to a mooring site, means a vessel recorded in the register under regulation 31B(5) or 31C(4) as the authorised vessel for an authorised user of the mooring site;

licensed vessel, in relation to a mooring site, has the meaning given in regulation 26(1);

mooring inspection report means a report by a mooring contractor that —

(a) is in an approved form; and

(b) certifies that a mooring on a mooring site inspected —

(i) complies with the approved mooring specifications; and

(ii) is suitable for the use of a vessel with specifications up to and including the specifications of the longest vessel registered, or proposed to be registered, in respect of that mooring site as a licensed vessel, additional vessel or authorised vessel, at the date of the mooring inspection report;

and

(c) is less than 12 months old;

suitable vessel means a vessel which —

(a) has a length of at least 6.4 m; and

(b) is a sailing vessel or has its own form of self propulsion capable of achieving a speed of 5 knots; and

(c) has adequate insurance cover;

waiting list means the waiting list referred to in regulation 21(1)(a).

[Regulation 19 inserted: Gazette 4 Jul 1997 p. 3515; amended: Gazette 7 Dec 2001 p. 6188; 4 Dec 2009 p. 4921 and 4924; 25 Oct 2016 p. 4875.]

19A. Authorisation to be secured to mooring

For the purposes of regulation 11(2)(a), a vessel is authorised under this Division to be secured to a mooring if —

(a) the mooring is on a mooring site; and

(b) the vessel is a licensed vessel, additional vessel or authorised vessel in relation to the mooring site; and

(c) the person who secured the vessel is the mooring site licensee or an authorised user of the mooring site; and

(d) the vessel is secured in accordance with the conditions of the mooring site licence.

[Regulation 19A inserted: Gazette 25 Oct 2016 p. 4876.]

20. Application for and grant of licences

(1) Subject to section 13(3) of the Act and regulation 22, the Authority may, on application under subregulation (3), grant to the applicant a licence to occupy a specified mooring site.

(2) A mooring site licence may be granted on such conditions as the Authority thinks fit.

(3) An application shall —

(a) be in an approved form that is duly completed; and

(b) be made by a person —

(i) whose principal place of residence is in the State; and

(ii) who is enrolled as defined in the *Electoral Act 1907* section 40A; and

(iii) who is named on the certificate of registration of the vessel nominated under paragraph (d) as the owner of that vessel, or who produces evidence of ownership satisfactory to the Authority; and

(iv) who is the owner of at least 25% of the net worth of the vessel nominated under paragraph (d); and

(v) who does not already have an application recorded on the waiting list; and

(vi) who does not hold another mooring site licence;

and

(c) be accompanied by the application fee set out in Schedule 7; and

(d) nominate a suitable vessel which has not been nominated under any other application recorded on a waiting list and is not a licensed vessel or an additional vessel for any other mooring site; and

(e) nominate a mooring area.

(4) The applicant shall supply such further information as the Authority may require.

(5) An applicant may by written notice to the Authority amend any part of the application other than —

(a) the date of the application; and

(b) the name of the applicant; and

(c) the nominated mooring area.

(6) If an application is withdrawn or amended, or the applicant's name is removed from the waiting list under subregulation (9)

or (10), the Authority is not required to refund the application fee or any part of it.

(7) The applicant shall give written notice to the Authority of any alteration to the particulars provided by the applicant in the application as soon as it is practicable to do so.

Penalty: a fine of $300.

(8) If the applicant's interest in a vessel nominated in the application is sold or disposed of, the applicant —

(a) shall give written notice to the Authority of the sale or disposal, and the date of the sale or disposal, as soon as is practicable after that date; and

(b) may, by written notice given to the Authority, nominate another suitable vessel for the purposes of subregulation (3)(d) —

(i) in respect of which the applicant is named on the certificate of registration as the owner or in respect of which the applicant produces evidence of ownership satisfactory to the Authority; and

(ii) of which the applicant is the owner of at least 25% of the net worth.

Penalty applicable to paragraph (a): a fine of $300.

(9) If an applicant who has given notice of the date of a sale or disposal under subregulation (8) does not nominate a vessel under subregulation (8)(b) within 6 months of that date, the Authority may remove the applicant's name from the waiting list without further notice.

(10) The Authority may —

(a) at any time by written notice require an applicant to confirm or update the particulars provided by the applicant in an application or to provide further particulars; and

(b) if an applicant fails to respond to a notice given to the applicant under paragraph (a) within the time specified in the notice, remove the applicant's name from the waiting list without further notice; and

(c) if the Authority is satisfied that an applicant listed on a waiting list, or a vessel nominated by that applicant, no longer meets the requirements of subregulation (3)(b) or (d), give notice to that effect to the applicant and remove the applicant's name from the waiting list.

(11) To the extent permitted by law, Part VII of the *Property Law Act 1969* does not apply to a mooring site licence.

[Regulation 20 inserted: Gazette 4 Jul 1997 p. 3515-17; amended: Gazette 19 Jun 1998 p. 3302; 22 Sep 2015 p. 3853 and 3863; SL 2024/126 r. 4.]

21. Waiting lists of applicants

(1) The Authority shall —

(a) maintain a waiting list specifying the particulars of applicants for mooring site licences in each mooring area; and

(b) on receipt of an application for a mooring site licence in a mooring area, place the applicant at the end of the waiting list for that mooring area.

(2) A copy of —

(a) each waiting list; and

(b) a list setting out the name of every applicant for a mooring site licence and the date of the application,

shall be kept at the office of the Authority.

(3) The Authority shall, on written request by an applicant, provide that applicant with a copy of his or her application particulars as set out in a waiting list.

(4) The list referred to in subregulation (2)(b) shall be available for inspection by the public during office hours free of charge.

[Regulation 21 inserted: Gazette 4 Jul 1997 p. 3517.]

22. Offer and acceptance of licences

(1) If the Authority is satisfied that a mooring site is available for allocation in a mooring area the Authority shall, by written notice —

(a) offer a mooring site licence in respect of the mooring site to the first applicant recorded at the time on the waiting list for that mooring area as having made an application that, having regard to the specifications of the vessel in the application, is appropriate for that mooring site; and

(b) give the applicant contact details of the previous licensee of the mooring site to allow the applicant, if he or she so wishes, to negotiate with that licensee for the purchase of the mooring on the mooring site to which the licence relates.

(2) The Authority shall send the notice to the address specified in the application.

(3) When accepting an offer, the applicant shall —

(a) give the Authority written notice as to whether the applicant has, or has not, reached an agreement with the previous licensee to acquire the mooring; and

(b) pay to the Authority —

(i) the annual mooring site licence fee set out in Schedule 7; and

(ii) the annual admission payment in respect of the vessel to be licensed.

(4) When —

(a) the Authority is notified of acceptance of an offer; and

(b) the prescribed payments are made under subregulation (3); and

(c) the Authority has received evidence satisfactory to the Authority that the applicant has acquired the mooring on the mooring site or that the applicant does not intend to acquire the mooring; and

(d) if the applicant has acquired the mooring, the Authority has received a mooring inspection report in respect of the mooring,

the Authority shall grant the mooring site licence to the applicant.

(5) If, for any reason —

(a) the applicant does not accept the offer in accordance with its terms within 14 days of receiving notice of the offer, or such further time as the Authority may by written notice allow; or

(b) the applicant accepts the offer under paragraph (a) but the evidence referred to in subregulation (4)(c) and, if required, the mooring inspection report referred to in subregulation (4)(d) are not provided to the Authority within 28 days of receiving notice of the offer, or such further time as the Authority may by written notice allow,

then —

(c) the offer lapses; and

(d) the Authority shall remove the name of the applicant from the waiting list; and

(e) the Authority may make the offer to another applicant.

(6) Nothing in subregulation (5) prevents an applicant from making a further application for a mooring site licence.

[Regulation 22 inserted: Gazette 4 Jul 1997 p. 3517-18; amended: Gazette 19 Jun 1998 p. 3303; 7 Dec 2001 p. 6188.]

23. Authority not obliged to offer licence

Nothing in these regulations imposes an obligation on the Authority to offer a mooring site licence in respect of a mooring site, and the Authority may deal with a mooring site in respect of which there is no licence in force as it thinks fit.

[Regulation 23 inserted: Gazette 4 Jul 1997 p. 3518.]

24. Licences, issue and content of

(1) When a mooring site licence is granted, the Authority shall issue a licence to the licensee.

(2) The licence shall specify —

(a) the licence number of the mooring site; and

(b) the full name of the licensee; and

(c) the name and registration number (if any) under the *Navigable Waters Regulations 1958* [1] of the licensed vessel; and

(d) such other particulars as the Authority determines.

[Regulation 24 inserted: Gazette 4 Jul 1997 p. 3519.]

25. Register of licences

(1) The Authority shall cause to be kept a register of mooring sites in such manner and form as the Authority determines.

(2) The register shall specify in respect of each mooring site —

(a) its location and number; and

(b) the particulars of the mooring site licensee (if any), including the full name, address, contact telephone

numbers, date of birth and the particulars of the person nominated by the licensee to be contacted in an emergency; and

(c) the particulars of the licensed vessel (if any) and any additional vessel, including any name of the vessel, any registration number under the *Navigable Waters Regulations 1958* [1], the owner or owners of the vessel, the length and overall length of the vessel, the weight in metric tonnes, the draft, the vessel type, the name of the vessel's insurers and the percentage of the licensee's interest in the net worth of the vessel; and

(d) the date of the last mooring inspection report provided to the Authority for the mooring site; and

(e) the particulars of any authorised users and authorised vessels for the site.

(3) The mooring site licensee must give the Authority written notice of any alteration to the particulars referred to in subregulation (2)(b), (c) and (d) as soon as it is practicable to do so.

Penalty: a fine of $300.

(4) The Authority shall, on written request by a mooring site licensee, provide that licensee with a copy of particulars of that mooring site as set out in the register.

(5) A list setting out the number of every mooring site and the name of the mooring site licensee for that mooring site, shall be —

(a) kept at the office of the Authority; and

(b) available for inspection by the public during office hours free of charge.

[Regulation 25 inserted: Gazette 4 Jul 1997 p. 3519; amended: Gazette 7 Dec 2001 p. 6188; 4 Dec 2009 p. 4924; 22 Sep 2015 p. 3863.]

26. Licensed vessels for mooring site moorings; substituting vessels

(1) A vessel is a ***licensed vessel*** in relation to a mooring site if it is recorded in the register, and on the mooring site licence, as the licensed vessel for that mooring site.

(2) Only one vessel shall be recorded as a licensed vessel for any mooring site.

(3) The Authority shall issue to each mooring site licensee an adhesive sticker designed to identify the licensed vessel for that mooring site.

(4A) The Authority may issue to a mooring site licensee a replacement adhesive sticker if —

(a) the Authority is satisfied that the adhesive sticker issued to a mooring site licensee under subregulation (3) has been lost, damaged or destroyed; and

(b) the mooring site licensee has paid the fee for the replacement of a lost mooring sticker set out in Schedule 7 item 8.

(4) A mooring site licensee may, by written notice to the Authority, request the Authority to —

(a) delete the particulars of the licensed vessel from the register and licence; and

(b) substitute as a licensed vessel in the register and on the licence another suitable vessel nominated by the mooring site licensee —

(i) which is not a licensed vessel, an additional vessel for any other mooring site or a vessel nominated under any application recorded on a waiting list; and

(ii) in respect of which the licensee is named on the certificate of registration as the owner, or in respect of which the licensee has produced

evidence of ownership satisfactory to the Authority; and

(iii) of which the licensee is the owner of at least 25% of the net worth.

(5) A notice referred to in subregulation (4) shall be accompanied by —

(a) the mooring site licence; and

(b) the sticker issued in respect of the licensed vessel; and

(c) full particulars of the nominated vessel; and

(d) certificates of insurance showing that the nominated vessel has adequate insurance cover; and

(e) if the nominated vessel has a length that is more than that of the longest vessel specified in the last mooring inspection report for the mooring, a fresh mooring inspection report certifying that the mooring is suitable for the use of a vessel up to and including the specifications of the nominated vessel.

(6) A mooring site licensee who sells or otherwise disposes of his or her interest in a licensed vessel —

(a) shall give written notice of the sale or disposal, and the date of the sale or disposal, to the Authority as soon as is practicable after the sale or disposal; and

(b) may, within 6 months of the date of the sale or disposal, by written notice request the Authority to substitute as a licensed vessel in the register and on the licence another suitable vessel nominated by the licensee —

(i) in respect of which the licensee is named on the certificate of registration as the owner, or in respect of which the owner has produced evidence of ownership satisfactory to the Authority; and

(ii) of which the licensee is the owner of at least 25% of the net worth.

Penalty applicable to paragraph (a): a fine of $300.

(7) A notice referred to in subregulation (6)(a) shall be accompanied by —

(a) the mooring site licence; and

(b) the sticker issued in respect of the licensed vessel.

(8) A request referred to in subregulation (6)(b) shall be accompanied by —

(a) full particulars of the nominated vessel; and

(b) certificates of insurance showing that the nominated vessel has adequate insurance cover; and

(c) if the nominated vessel has a length that is more than that of the longest vessel specified in the last mooring inspection report for the mooring, a fresh mooring inspection report certifying that the mooring is suitable for the use of a vessel up to and including the specifications of the nominated vessel.

(9) If a notice is given in accordance with subregulations (4) and (5), or subregulations (6)(b) and (8), the Authority shall amend the licence and register as requested.

(10) A mooring site licensee shall maintain any mooring on the mooring site, irrespective of whether or not there is a licensed vessel recorded on the register for that mooring site.

[Regulation 26 inserted: Gazette 4 Jul 1997 p. 3519-21; amended: Gazette 29 Jul 2011 p. 3145; 22 Sep 2015 p. 3854; 25 Oct 2016 p. 4876; SL 2020/118 r. 5.]

27. Additional vessels for mooring site moorings, registration of etc.

(1) A mooring site licensee may, by written notice given to the Authority, nominate vessels other than the licensed vessel to use the mooring site if —

(a) the mooring site licensee is named on the certificate of registration of each nominated vessel as the owner of that vessel, or produces evidence of ownership satisfactory to the Authority; and

(b) each nominated vessel has adequate insurance cover.

(2) A vessel is an ***additional vessel*** in relation to a mooring site if it is recorded in the register as being an additional vessel in respect of that mooring site.

(3) A notice under subregulation (1) shall be accompanied by —

(a) the annual admission payment in respect of the nominated vessel; and

(b) a copy of the nominated vessel's certificate of registration or, if the vessel does not have a certificate of registration, evidence of ownership of the vessel; and

(c) a copy of insurance certificates showing that the nominated vessel has adequate insurance cover; and

(d) if the nominated vessel has a length that is more than that of the longest vessel specified in the last mooring inspection report for the mooring, a fresh mooring inspection report certifying that the mooring is suitable for the use of a vessel up to and including the specifications of the nominated vessel.

(4) If a notice is given in accordance with subregulations (1) and (3), the Authority shall —

(a) enter the details of the nominated vessel in the register; and

(b) issue to the mooring site licensee an adhesive sticker designed to identify the additional vessel as being so registered.

(5) A mooring site licensee may, by written notice to the Authority accompanied by the relevant adhesive sticker, request the Authority to delete the particulars of an additional vessel from the register.

(6) If particulars of an additional vessel are removed from the register pursuant to a request under subregulation (5), the Authority is not required to refund the annual admission payment or any portion of it.

(7) A mooring site licensee may have more than one additional vessel registered in respect of a mooring site at any time.

[Regulation 27 inserted: Gazette 4 Jul 1997 p. 3521-2; amended: Gazette 25 Oct 2016 p. 4876.]

28. Mooring specifications, compliance requirements as to

(1) A mooring site licensee shall ensure that any mooring on the mooring site of the licensee complies at all times with the approved mooring specifications.

Penalty: a fine of $750.

(2) A mooring site licensee is responsible for any cost incurred by the mooring site licensee in ensuring that the mooring complies with the mooring specifications.

(3) A mooring site licensee shall at all times have a mooring inspection report in respect of a mooring on the mooring site of the licensee.

Penalty: a fine of $750.

(4) A mooring site licensee shall give to the Authority a copy of any mooring site inspection report made for the licensee within 7 days of receiving the report.

Penalty: a fine of $750.

(5) A mooring site licensee shall not use a mooring on the mooring site of the licensee, or cause or permit the mooring to be used, unless a mooring inspection report in respect of the mooring has been provided to the Authority.

Penalty for an offence under this subregulation: a fine of $750.

[Regulation 28 inserted: Gazette 4 Jul 1997 p. 3522; amended: Gazette 8 Dec 2009 p. 5003; 17 Dec 2010 p. 6360; 22 Sep 2015 p. 3854.]

28A. Authority may reject mooring inspection report

(1) The Authority may reject a mooring inspection report provided to the Authority by any person under these regulations, and require that person to provide another mooring inspection report.

(2) A mooring inspection report that is rejected by the Authority is to be taken not to have been provided to the Authority for the purposes of these regulations.

[Regulation 28A inserted: Gazette 7 Dec 2001 p. 6189.]

29. Unattended vessels on mooring site mooring

(1) A person shall not, without permission, cause or permit an unattended vessel to remain secured to a mooring on a mooring site for a period of longer than 24 hours.

(2) The Authority may, if it is satisfied that a person has contravened subregulation (1), by written notice served on the mooring site licensee or, if the vessel is an authorised vessel, the authorised user, direct that the vessel be removed from the mooring within the period specified in the notice.

(3) A person on whom a notice is served under subregulation (2) shall comply with the notice.

Penalty: a fine of $750.

(4) If a notice served under subregulation (3) is not complied with, the Authority may take possession of the vessel and deal with it as if it were abandoned, and for that purpose the notice given under subregulation (3) is taken to be a notice given under regulation 74(2)(b).

[Regulation 29 inserted: Gazette 4 Jul 1997 p. 3522; amended: Gazette 4 Dec 2009 p. 4924; 8 Dec 2009 p. 5003.]

30. Licences, nature of, duties of holder on cessation of; exchange of sites

(1) A mooring site licence is a licence to occupy the mooring site specified in the licence and does not apply in respect of the mooring on that mooring site.

(2) Rights conferred on a mooring site licensee under these regulations are not assignable and shall not pass by will or on intestacy or vest by operation of law in any person.

(3) Nothing in subregulation (2) prohibits the sale or disposal, in accordance with these regulations, of a mooring.

(4) Subject to subregulation (8), if a mooring site licence ceases to have effect, the person who was the mooring site licensee immediately before the licence ceased to have effect (or, if that person has died, his or her personal representative) (the ***previous licensee***) shall —

(a) remove the mooring; or

(b) dispose of the mooring to the person to whom the Authority has offered the mooring site licence.

Penalty: a fine of $750.

(5) The Authority may, by written notice given to the previous licensee, direct the previous licensee to comply with subregulation (4) within a time specified in the notice.

(6) If a previous licensee does not comply with a direction given under subregulation (5), the Authority may take possession of the mooring and deal with it as if it were abandoned, and for that purpose the notice given under subregulation (5) is taken to be a notice given under regulation 74(2)(b).

(7) If the Authority determines on reasonable grounds that removing a mooring on a mooring site, or any part of the mooring, will have an adverse effect on the environment, the Authority may, by written notice given to the owner of the mooring and, if that person is not the owner, the mooring site licensee —

(a) notify those persons that the mooring, or any part of the mooring, may not be removed; and

(b) take possession of the mooring.

(8) A mooring site licensee or owner of a mooring shall not remove, or cause to be removed, a mooring, or a part of a mooring, in respect of which a notice has been issued under subregulation (7).

Penalty: a fine of $750.

(9) No compensation is payable in respect of a mooring that is the subject of a notice under subregulation (7).

(10) The Authority may, by written notice given to both mooring site licensees, approve the exchange of mooring sites between mooring site licensees if —

(a) the mooring sites are within the same mooring area; and

(ba) both mooring site licensees have paid the mooring exchange fee set out in Schedule 7 item 9; and

(b) both mooring site licensees have complied with the directions of the Authority in respect of the exchange.

(11) If the Authority approves the exchange of mooring sites under subregulation (10), it shall cause the register to be amended accordingly.

[Regulation 30 inserted: Gazette 4 Jul 1997 p. 3522-3; amended: Gazette 8 Dec 2009 p. 5003; 29 Jul 2011 p. 3145; 25 Oct 2016 p. 4876; SL 2020/118 r. 6.]

31A. Authorised user may use mooring site with licensee's consent

(1) A person other than a mooring site licensee may occupy a mooring site at a particular time if the person —

(a) is an authorised user of that mooring site; and

(b) has obtained the consent of the mooring site licensee to occupy the site at that time.

[(2) deleted]

[Regulation 31A inserted: Gazette 4 Dec 2009 p. 4921; amended: Gazette 25 Oct 2016 p. 4876.]

31B. How licensee authorises person to be authorised user of mooring site

(1) A mooring site licensee may, in the approved form, authorise a person to be an authorised user of the licensee's mooring site.

(2) The authorisation must specify a vessel that is to be the authorised user's authorised vessel for the mooring site (the ***nominated vessel***), which vessel must comply with subregulation (4).

(3) The authorised person must give the completed authorisation form, signed by the licensee and authorised user, to the Authority together with —

(a) payment of —

(i) the annual admission payment; and

(ii) the annual authorised user payment set out in Schedule 7,

in respect of the nominated vessel for the year in which the authorisation is to take effect; and

(b) if the nominated vessel has a length that is more than that of the longest vessel specified in the last mooring inspection report for the mooring — a mooring inspection report certifying that the mooring is suitable for the use of a vessel up to and including the specifications of the nominated vessel.

(4) A vessel complies with this subregulation if —

(a) the authorised person —

(i) is named on the certificate of registration of the vessel as the owner of that vessel; or

(ii) produces other evidence of ownership of the vessel satisfactory to the Authority;

and

(b) the vessel has adequate insurance cover.

(5) On receipt of an authorisation form from a person in accordance with this regulation the Authority may record in the register —

(a) the person as an authorised user of the mooring site; and

(b) the nominated vessel as the person's authorised vessel for the mooring site,

and if it does so must issue to the person an adhesive sticker identifying the vessel as the person's authorised vessel for that site.

[Regulation 31B inserted: Gazette 4 Dec 2009 p. 4921-2.]

31C. How Authority authorises person to be authorised user of mooring site

(1) The Authority may, by written notice, authorise a person to be an authorised user of a mooring site.

(2) The Authority must give a copy of the notice to the mooring site licensee.

(3) The Authority must not authorise a person under subregulation (1) unless the person —

(a) has nominated a vessel that is to be the person's authorised vessel for the mooring site (the ***nominated vessel***), which vessel must comply with regulation 31B(4); and

(b) has given to the Authority the payments and any documents required by regulation 31B(3) to be given with an authorisation form under that regulation.

(4) When it authorises a person under subregulation (1) the Authority must —

(a) record in the register —

(i) the person as an authorised user of the mooring site; and

(ii) the nominated vessel as the person's authorised vessel for the mooring site;

and

(b) issue to the person an adhesive sticker identifying the vessel as the person's authorised vessel for that site.

[Regulation 31C inserted: Gazette 4 Dec 2009 p. 4922-3.]

31D. Changing authorised user's authorised vessel

(1) The Authority may, at the request of an authorised user of a mooring site, amend the register to change the person's authorised vessel for that site to another vessel that complies with regulation 31B(4).

(2) The Authority must issue to the person an adhesive sticker identifying the replacement vessel as the person's authorised vessel for that site.

[Regulation 31D inserted: Gazette 4 Dec 2009 p. 4923.]

31E. Annual payments by authorised users

(1) An authorised user must pay to the Authority in respect of the person's authorised vessel —

(a) the annual admission payment; and

(b) the annual authorised user payment set out in Schedule 7.

(2) The fees payable under subregulation (1) —

(a) are payable for each year commencing on 1 September; and

(b) must be paid before the commencement of that year.

[Regulation 31E inserted: Gazette 4 Dec 2009 p. 4923.]

31F. Revoking etc. authorisation given under r. 31B or 31C

(1) An authorisation given by a mooring site licensee under regulation 31B —

(a) may be revoked by the licensee by written notice given to the Authority;

(b) may be cancelled by the Authority if —

(i) the authorised user fails to make a payment required by regulation 31E; or

(ii) the authorised user fails to comply with a direction under regulation 34(4); or

(iii) the Authority is satisfied that the authorised user has committed an offence under the Act or these regulations;

(c) expires if the mooring site licence for the site ceases to have effect.

(2) An authorisation given by the Authority under regulation 31C —

(a) may be revoked by the Authority by written notice to the authorised user;

(b) expires if the licensee's mooring site licence ceases to have effect.

(3) If an authorised user's authorisation is revoked, cancelled or expires the Authority —

(a) must give written notice of that fact to the authorised user and mooring site licensee; and

(b) delete the authorised user from the register.

(4) If an authorised person is deleted from the register, the Authority is not required to refund any annual admission payment or authorised user payment made by the person.

[Regulation 31F inserted: Gazette 4 Dec 2009 p. 4923-4; amended: Gazette 24 Jan 2014 p. 113-14.]

*[**31.** Deleted: Gazette 4 Dec 2009 p. 4921.]*

32. Term of licences; cancelling licences

(1) Subject to these regulations, a mooring site licence has effect for a period expiring on 31 August next following the grant of the licence.

(2) A mooring site licence ceases to have effect —

(a) on the death of the mooring site licensee; and

(b) upon receipt by the Authority of a written request from the mooring site licensee that the licence be cancelled; and

(c) upon cancellation of the licence by the Authority under subregulation (3); and

(d) subject to regulation 33, upon the expiration of the licence.

(3) The Authority may, by written notice served on a mooring site licensee, cancel or refuse to renew the mooring site licence of the licensee if —

(a) the Authority is satisfied that —

(i) the mooring site licence was obtained by deception or fraud; or

(ii) the mooring site licensee has committed an offence under the Act or these regulations, or caused or permitted another person to do so; or

(iii) the mooring site licensee has failed to comply with a condition of the mooring site licence or caused or permitted another person to do so;

or

(b) the mooring site licensee has given notice under regulation 26(6) of the date of the sale or disposal of a licensed vessel and has not nominated a substitute vessel within 6 months of that date; or

(c) the mooring site licensee has failed to comply with a notice under regulation 34; or

(d) the mooring site licensee —

(i) does not have a mooring inspection report in respect of the mooring on the mooring site; or

(ii) has failed to provide the mooring inspection report to the Authority under regulation 28;

or

(e) the Authority considers that it is in the public interest or in the best interests of good management of the waters of the Island to do so.

(4) If the Authority cancels or refuses to renew a mooring site licence under subregulation (3)(e), the Authority may, despite

regulation 22(1)(a), offer under that regulation to the mooring site licensee another mooring site that is available for allocation.

[Regulation 32 inserted: Gazette 4 Jul 1997 p. 3524-5.]

33. Renewing licences

(1) The Authority may, on application by the licensee for renewal and subject to regulation 32(3), renew a mooring site licence from time to time for a period of 12 months.

(2) A renewal of a licence takes effect from the day next succeeding the day of its expiry.

(3) An application for renewal shall be —

(a) made by the mooring site licensee in the approved form within one month before, or within one month after, the expiry of the licence; and

(b) accompanied by —

(i) the annual mooring site licence fee set out in Schedule 7; and

(ii) the annual admission fee in respect of the licensed vessel and each additional vessel of the licensee.

[Regulation 33 inserted: Gazette 4 Jul 1997 p. 3525-6.]

34. Directions to licensees by Authority

(1) The Authority may, if it satisfied that a mooring does not comply with the approved mooring specifications, by written notice served on the relevant mooring site licensee, direct that licensee to obtain a fresh mooring inspection report in respect of the mooring within the period specified in the notice and at the licensee's expense.

(2) The Authority may give a direction under subregulation (1) notwithstanding that the mooring site licensee already has a mooring inspection report in respect of the mooring.

(3) The Authority may, by written notice served on a mooring site licensee, direct the licensee to provide to the Authority, within the period specified in the notice, evidence satisfactory to the Authority that —

(a) the licensee meets all or any of the requirements of an applicant under regulation 20(3)(b); or

(b) a licensed vessel of the licensee is a suitable vessel; or

(c) the licensee meets the ownership requirements of these regulations in respect of a licensed or additional vessel of the licensee.

(4) The Authority may, by written notice served on an authorised user direct the authorised user to provide to the Authority, within the period specified in the notice, evidence satisfactory to the Authority that the person's authorised vessel complies with regulation 31B(4).

[Regulation 34 inserted: Gazette 4 Jul 1997 p. 3526; amended: Gazette 4 Dec 2009 p. 4924.]

35. Rebates of fees etc. in some cases

The Authority may, on granting a mooring site licence, or on registering an authorised user, allow a rebate (to be calculated on a pro rata basis) of any fee, annual admission payment or annual authorised user payment where the mooring site licence, annual admission payment or annual authorised user payment will be of effect for a period of less than 6 months.

[Regulation 35 inserted: Gazette 4 Jul 1997 p. 3526; amended: Gazette 27 Jun 2003 p. 2407; 4 Dec 2009 p. 4924.]

*[**35A.** Deleted: Gazette 25 Oct 2016 p. 4876.]*

35B. Notices may be affixed to vessel etc.

Without limiting sections 75 and 76 of the *Interpretation Act 1984*, a notice or direction may be given by the Authority under these regulations —

(a) to a mooring site licensee by affixing it to the licensee's licensed or additional vessel; and

(b) to an authorised user by affixing it to the person's authorised vessel.

[Regulation 35B inserted: Gazette 4 Jul 1997 p. 3526; amended: Gazette 4 Dec 2009 p. 4924-5.]

[Division 4 (r. 35C-35G) deleted: Gazette 25 Oct 2011 p. 4513.]

Part 5 — General management

Division 1 — Control and regulation of access

36. Restricted areas, protected areas and closed tracks etc.

(1) A person shall not, without permission —

(a) be in an area of the Island specified in Schedule 2 (in this regulation called a ***restricted area***); or

(b) be in a protected area for the time being set aside under subregulation (3); or

(c) use a track or path that is for the time being closed under subregulation (4).

Penalty: a fine of $750.

(2) The powers in subregulations (3) and (4) may only be exercised for the purpose of protecting the safety of persons within the limits of the Island or protecting or repairing the natural environment, fauna or flora or man-made resources of the Island.

(3) The Authority may by the erection or establishment of signs and fencing set aside an area as a protected area for the purposes of this regulation.

(4) The Authority may by the erection or establishment of signs close a track or path to pedestrians or vehicles or to both.

(5) Sufficient signs shall be erected and maintained by the Authority in or in the vicinity of a restricted area, a protected area or a track or path that is closed under this regulation indicating that entry to that area or use of that track or path, as the case may be, is prohibited without permission.

(6) The inscription on a sign erected under this regulation operates according to its tenor.

(7) It is a defence to a charge of an offence under subregulation (1) for a person to show that entry to a restricted area or a protected area or use of a track or path without permission was necessary to prevent or mitigate injury to a person or damage to property.

[Regulation 36 amended: Gazette 9 Nov 1990 p. 5590; 8 Dec 2009 p. 5003; 17 Dec 2010 p. 6361.]

Division 1A — Vessels

[Heading inserted: Gazette 4 Jul 1997 p. 3529.]

36A. Mooring vessels to land; beach anchors

A person shall not —

(a) secure a vessel to a fence or other land-based structure that is not designed principally for the purpose of securing vessels; or

(b) use any apparatus as a beach anchor unless that apparatus is designed principally for use as a beach anchor.

Penalty: a fine of $750.

[Regulation 36A inserted: Gazette 4 Jul 1997 p. 3529; amended: Gazette 8 Dec 2009 p. 5003.]

37. Beaching vessels in some circumstances

(1) A person shall not, without permission —

(a) beach a vessel; or

(b) anchor a vessel by placing the anchor on a beach,

in Thomson Bay, Longreach Bay or Geordie Bay, during any period when there is a permitted area in that Bay, except in such a permitted area.

Penalty: a fine of $750.

(2) In subregulation (1) —

(a) in paragraph (b) ***beach*** includes any part of the foreshore that is above the low water mark whether it is covered by water or not; and

(b) ***permitted area*** means an area that is between 2 signs for the time being, erected or established by the Authority and inscribed with words indicating that the beaching or beach-anchoring of vessels is permitted and each having an arrow pointing generally towards the other sign.

(3) The Authority may, if it is satisfied that a vessel is beached or anchored in contravention of subregulation (1), direct the operator or person in charge, or apparently in charge, or a user of the vessel to remove immediately the vessel from the place where it is beached or anchored.

(4) A person given a direction under subregulation (3) shall comply with the direction.

Penalty: a fine of $750.

(5) If —

(a) a person to whom a direction is given under subregulation (3) fails to comply with the direction; or

(b) a vessel beached or anchored in contravention of subregulation (1) is unattended,

the Authority may —

(c) cause the vessel to be removed to a place where the beaching or beach anchoring of vessels is permitted; or

(d) take possession of the vessel and deal with it as if the vessel were abandoned and, for that purpose, if the direction under subregulation (3) is given in writing, that direction shall be taken to be a notice given under regulation 74(2)(b).

[Regulation 37 amended: Gazette 4 Jul 1997 p. 3529-30; 8 Dec 2009 p. 5004; 22 Sep 2015 p. 3854.]

38. Boats on lakes

A person shall not, without permission, have or use a boat on any lake on the Island.

Penalty: a fine of $300.

[Regulation 38 amended: Gazette 22 Sep 2015 p. 3863.]

38A. Speed restrictions for vessels

(1) The Authority may, by notice published in the *Gazette*, limit the speed of any specified class or classes of vessel in any area of the waters of the Island defined in the notice.

(2) The Authority may vary or cancel a notice under this regulation.

(3) A person shall not drive a vessel in an area defined in a notice under subregulation (1) at a speed exceeding the limit specified for a vessel of that class in the notice.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38A inserted: Gazette 4 Jul 1997 p. 3530; amended: Gazette 22 Sep 2015 p. 3862.]

38BA. Restricting use of certain vessels to specified areas

(1) The Authority may, by notice published in the *Gazette*, define and set aside any area of the waters of the Island as an area in which vessels of a specified class may be used.

(2) The Authority may, in the notice, impose conditions on the use of vessels of that class in that area.

(3) If a notice has been made under this regulation in respect of a class of vessels, a person must not use a vessel of that class in the waters of the Island unless the person does so —

(a) in the area set aside by the notice; and

(b) in accordance with any conditions specified in the notice.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38BA inserted: Gazette 4 Dec 2009 p. 4925; amended: Gazette 22 Sep 2015 p. 3862.]

38B. Areas may be set aside for specified vessels

(1) The Authority may, by notice published in the *Gazette*, define and set aside any area of the waters of the Island as an area in which vessels other than those of a specified class cannot be used.

(2) The Authority may, in the notice, impose conditions on the use of vessels of the specified class in that area.

(3) If a notice has been made under this regulation in respect of an area, a person must not use a vessel in that area unless —

(a) the vessel is of the class specified in the notice; and

(b) the person does so in accordance with any conditions specified in the notice.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38B inserted: Gazette 4 Dec 2009 p. 4925; amended: Gazette 22 Sep 2015 p. 3862.]

38C. Black water from vessels

(1) In this regulation —

black water means faecal matter or urine and any waste composed wholly or in part of liquid.

(2) A person shall not discharge or deposit within the limits of the Island any black water from a vessel other than by means of an approved treatment system.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38C inserted: Gazette 4 Jul 1997 p. 3531; amended: Gazette 22 Sep 2015 p. 3862; 25 Oct 2016 p. 4877.]

Division 1B — Main jetty

[Heading inserted: Gazette 22 Sep 2015 p. 3854.]

38D. Term used: officer

In this Division —

officer means an officer of the Authority.

[Regulation 38D inserted: Gazette 22 Sep 2015 p. 3854.]

38E. Signs may prohibit use of main jetty

(1) The Authority may erect a sign at or on the main jetty prohibiting the use of the jetty either —

(a) absolutely; or

(b) except in accordance with conditions specified on the sign.

(2) A person must not use the main jetty contrary to a sign erected under subregulation (1).

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38E inserted: Gazette 22 Sep 2015 p. 3854.]

38F. Approval to berth commercial vessel at main jetty

(1) The master or operator of a commercial vessel may apply for approval to berth the vessel at the main jetty by providing to the Authority, within the time specified in subregulation (2), a schedule of intended arrival and departure times.

(2) The schedule must be provided —

(a) in the case of a ferry — at least 14 days before the intended arrival; or

(b) in any other case — at least one week before the intended arrival.

(3) On an application under subregulation (1), the Authority may give written approval to the master or operator of the commercial vessel to berth at the main jetty in accordance with the approval.

(4) An officer may give approval for a commercial vessel to berth at the main jetty otherwise than in accordance with an approval under subregulation (1) if, in the officer's opinion, it is necessary or convenient for the vessel to do so and the vessel can so berth without compromising the safety of, or causing undue disruption or inconvenience to, other vessels berthing or proposing to berth at the jetty.

(5) A person must not berth a commercial vessel at the main jetty otherwise than in accordance with a written approval under subregulation (3) or an approval under subregulation (4).

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38F inserted: Gazette 22 Sep 2015 p. 3854-5.]

38G. Main jetty berthing fee

(1) An operator of a commercial vessel must, before berthing the vessel at the main jetty, pay to the Authority the relevant berthing fee set out in Schedule 8.

(2) An operator who fails or refuses to pay the fee commits an offence.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38G inserted: Gazette 22 Sep 2015 p. 3855.]

38H. Duties of master of commercial vessel

(1) The master of a vessel berthing at the main jetty must —

(a) ensure that a manifest is kept on board the vessel recording the number of passengers transported by the vessel on each journey to and from the Island; and

(b) on request, make the manifest available for inspection by an officer.

Penalty: a fine of $1 000.

(2) The operator of the vessel must —

(a) keep a manifest referred to in subregulation (1) for 3 years after the relevant journey; and

(b) on request, make the manifest available for inspection by an officer.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38H inserted: Gazette 22 Sep 2015 p. 3855-6.]

38I. Work on main jetty

(1) The Authority may give written approval for a person to —

(a) construct additions to the main jetty; or

(b) repair the main jetty; or

(c) do any other work in relation to the main jetty.

(2) A person must not, without written approval from the Authority, do, or attempt to do, anything referred to in paragraph (a), (b) or (c) of that subregulation.

Penalty: a fine of $1 000.

(3) A person must not obstruct or hinder another person engaged in doing anything referred to in subregulation (1)(a), (b) or (c) in accordance with written approval from the Authority.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38I inserted: Gazette 22 Sep 2015 p. 3856.]

38J. Repairs to vessel at main jetty

(1) The Authority or an officer may give permission for a person to —

(a) repair a vessel berthed at the main jetty; or

(b) do any other work in relation to a vessel berthed at the main jetty.

(2) A person must not, without the permission of the Authority or an officer, do, or attempt to do, anything referred to in subregulation (1)(a) or (b).

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38J inserted: Gazette 22 Sep 2015 p. 3856.]

38K. Berthing at main jetty generally

(1) The master of a vessel berthed at the main jetty must ensure that the vessel is secured to or at the jetty using fittings provided for that purpose and not otherwise.

Penalty: a fine of $1 000.

(2) The master of a vessel berthed at the main jetty must ensure that the vessel is secured to or at the jetty in a manner that allows free access to any steps or landing used by the public at the jetty.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38K inserted: Gazette 22 Sep 2015 p. 3856-7.]

38L. Berthing at commercial area of main jetty

(1) The master of a vessel must ensure that the vessel is not berthed at a commercial area of the main jetty except for the purpose of —

(a) enabling passengers to embark or disembark; or

(b) loading or offloading cargo.

Penalty: a fine of $1 000.

(2) The master of a vessel berthed at a commercial area of the main jetty must ensure that the vessel is moved from that area as soon as practicable after —

(a) all its passengers have embarked or disembarked; or

(b) its cargo has been fully loaded or offloaded; or

(c) both paragraphs (a) and (b),

as the case may be.

Penalty: a fine of $1 000.

(3) Unless otherwise authorised by an officer, the master of a vessel must, at all times during which the vessel is berthed or otherwise at a commercial area of the main jetty, ensure that the vessel is under the control of a person who holds a certificate of competency —

(a) as defined in the Marine Safety (Domestic Commercial Vessel) National Law section 6; or

(b) granted under the *Western Australian Marine Act 1982* Part II.

Penalty: for an offence under this subregulation: a fine of $1 000.

[Regulation 38L inserted: Gazette 22 Sep 2015 p. 3857.]

38M. Officer may direct that vessel be moved from main jetty

(1) An officer may direct the master of a vessel berthed at the main jetty to move the vessel —

(a) to another berth at the jetty specified by the officer; or

(b) to another jetty, mooring or anchorage specified by the officer; or

(c) otherwise away from the main jetty.

(2) A person must comply with a direction under subregulation (1).

Penalty: a fine of $1 000.

(3) Where a person fails to comply with a direction under subregulation (1), an officer may move the vessel, or cause the vessel to be moved, in accordance with the direction or as the officer otherwise thinks fit.

(4) The costs of moving a vessel under subregulation (3) are recoverable in a court of competent jurisdiction as a debt due to the Authority.

[Regulation 38M inserted: Gazette 22 Sep 2015 p. 3857-8.]

38N. Bringing vehicle onto main jetty

(1) In this regulation —

vehicle has the meaning given to that term in the *Road Traffic (Administration) Act 2008* section 4.

(2) An officer may give permission for a person to bring a vehicle onto the main jetty.

(3) A person must not bring a vehicle onto the main jetty —

(a) without the permission of an officer; or

(b) contrary to any condition to which the permission is subject.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38N inserted: Gazette 22 Sep 2015 p. 3858.]

38O. Signs or markings on main jetty

(1) The Authority may give written permission for a person to display a sign on, or attach a sign to, the main jetty, or write, paint or otherwise mark anything on the jetty.

(2) A person must not display a sign on, or attach a sign to, the main jetty, or write, paint or otherwise mark anything on the jetty —

(a) without the written permission of the Authority; or

(b) contrary to any condition to which the permission is subject.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38O inserted: Gazette 22 Sep 2015 p. 3858.]

38P. Fishing from main jetty

A person must not engage in fishing from the main jetty in a manner that obstructs or interferes with the free movement of vessels approaching or leaving the jetty.

Penalty: a fine of $1 000.

[Regulation 38P inserted: Gazette 22 Sep 2015 p. 3858.]

38Q. Hire, lease or sale of goods on main jetty

(1) The Authority may give written permission for a person to conduct a business relating to the storage, hire, lease or sale of goods on or from the main jetty.

(2) A person must not conduct a business relating to the storage, hire, lease or sale of goods on or from the main jetty without the written permission of the Authority.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38Q inserted: Gazette 22 Sep 2015 p. 3859.]

38R. Use of amplified sound on main jetty

(1) The Authority may give written permission for a person to use a loud speaker, public address system or other amplified sound source on the main jetty.

(2) A person must not use a loud speaker, public address system or other amplified sound source on the main jetty without the written permission of the Authority.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38R inserted: Gazette 22 Sep 2015 p. 3859.]

38S. Interfering with person on main jetty

A person must not —

(a) tout or solicit anyone on the main jetty to be a passenger on a particular vessel or vehicle; or

(b) otherwise interfere with the free movement of anyone entering upon or leaving the main jetty.

Penalty: a fine of $1 000.

[Regulation 38S inserted: Gazette 22 Sep 2015 p. 3859.]

38T. Gangways to be provided on vessel berthing at main jetty

(1) The operator and master of a vessel using the main jetty for the purpose of embarking or disembarking passengers each commit an offence if the vessel is not equipped with a gangway that complies with subregulation (2) for use between the vessel and the jetty.

Penalty: a fine of $1 000.

(2) The gangway must be constructed in accordance with the National Standard for Commercial Vessels as defined in the Marine Safety (Domestic Commercial Vessel) National Law section 6.

[Regulation 38T inserted: Gazette 22 Sep 2015 p. 3859.]

38U. Prohibited conduct on main jetty

(1) A person must not throw any object or missile, or any filth, dirt, rubbish or matter of a similar nature, onto or from the main jetty.

Penalty: a fine of $1 000.

(2) A person must not smoke on the main jetty.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 38U inserted: Gazette 22 Sep 2015 p. 3859-60.]

38V. Interfering with main jetty and its operations

A person must not —

(a) remove, damage or destroy any fixture or fitting on the main jetty; or

(b) obstruct an officer in the execution of the officer's duty on the main jetty; or

(c) otherwise obstruct or interfere with the operation of the main jetty.

Penalty: a fine of $1 000.

[Regulation 38V inserted: Gazette 22 Sep 2015 p. 3860.]

Division 2 — Protection of flora, fauna, etc.

39. Flora etc., protection of

(1) A person shall not without permission or under the authority of a written law injure, destroy or take any flora living or dead within the limits of the Island or remove any stake supporting, or any label on or near, any such flora.

Penalty: a fine of $1 000.

(2) In subregulation (1) —

(a) ***flora*** means any form of plant life, and any part or seeds or spores of such flora;

(b) ***take*** includes gather, pluck, cut, pull up and dig up.

[Regulation 39 amended: Gazette 22 Sep 2015 p. 3863.]

40. Fauna, protection of

(1) A person shall not without permission or under the authority of a written law —

(a) interfere with, take or destroy any fauna within the limits of the Island; or

(b) interfere with or destroy any nest, spawning ground or habitat of any such fauna.

Penalty: a fine of $1 000.

(2) Subregulation (1) does not apply to —

(a) the taking of fish in accordance with the *Fisheries Act 1905* [2]; or

(b) the removal or destruction of feral or stray animals or birds.

(3) In this regulation —

fauna means any living thing that is not a human being or a plant and includes the eggs and immature stages of fauna; and

fish means any marine or fresh water fish or crustacean or any other form of marine animal life.

[Regulation 40 amended: Gazette 22 Sep 2015 p. 3863.]

41. No animal or bird to be landed on Island

(1) A person shall not without permission cause or allow any animal or bird to enter within the limits of the Island.

Penalty: a fine of $1 000

(2) Nothing in this regulation applies to fauna that is indigenous to the Island, whether seasonally or otherwise.

(3) A ranger may take and destroy any animal or bird that he believes to be within the limits of the Island as a result of a contravention of this regulation.

[Regulation 41 amended: Gazette 22 Sep 2015 p. 3863.]

41A. Fauna, feeding of

(1) The Authority may by resolution determine that the feeding of fauna of a kind specified in the resolution is prohibited within the limits of the Island.

(2) A person shall not feed fauna in respect of which a resolution has been made under subregulation (1) within the limits of the Island if the Authority has —

(a) erected signs on the Island notifying the public that feeding fauna of that kind is prohibited; or

(b) otherwise notified that person that the feeding of fauna of that kind is prohibited.

Penalty for an offence under this subregulation: a fine of $750.

[Regulation 41A inserted: Gazette 4 Jul 1997 p. 3531; amended: Gazette 8 Dec 2009 p. 5004; 22 Sep 2015 p. 3860.]

41B. No flora to be brought to Island

(1) In this regulation —

flora means any form of, or any part of, plant life or a fungus, but does not include anything intended for human consumption.

(2) A person must not without permission cause or allow any flora to be brought within the limits of the Island.

Penalty: a fine of $1 000.

(3) A ranger may take and destroy any flora that the ranger believes to be within the limits of the Island as a result of a contravention of this regulation.

[Regulation 41B inserted: Gazette 25 Oct 2011 p. 4513-14.]

42. Rocks and soil, protection of

(1) A person shall not without permission cause damage to the Island by —

(a) removing, damaging, interfering with, or marking any rock; or

(b) removing or displacing any soil,

within the limits of the Island.

Penalty: a fine of $750.

(2) Nothing in subregulation (1) applies to things done in the reasonable use and enjoyment of the Island.

[Regulation 42 amended: Gazette 8 Dec 2009 p. 5004.]

Division 3 — Vehicles

43. Application of road laws

(1) For the avoidance of doubt it is declared that —

(a) a road on the Island is a road as defined in the *Road Traffic (Administration) Act 2008* section 4; and

(b) each road law as defined in that section applies on the Island, subject to these regulations and so far as the circumstances will allow, in the same way as it applies in other parts of the State.

(2) Nothing in this regulation shall have the effect of prohibiting the use on roads on the Island of any wheeled vehicle that is designed to be propelled solely by human power.

[Regulation 43 amended: Gazette 8 Jan 2015 p. 150.]

44. Traffic signs and directions

(1) The Authority may erect or establish any traffic sign, that is a sign, mark, structure or device for the purpose of prohibiting, regulating or controlling the use, standing or parking of vehicles on the Island in any area that is not a road as defined in the *Road Traffic (Administration) Act 2008* section 4.

(2) The inscription on a traffic sign operates according to its tenor.

(3) A person shall comply with —

(a) the inscription on a traffic sign erected or established under subregulation (1); or

(b) a signal or direction by a ranger as to the use, parking or movement of a vehicle that is addressed to him and that is reasonably required for the regulation of traffic.

Penalty for an offence under this subregulation: a fine of $750.

[Regulation 44 amended: Gazette 8 Dec 2009 p. 5004; 22 Sep 2015 p. 3860; 5 Apr 2016 p. 1028.]

45. Restriction on bringing vehicles to Island

(1) A person shall not, without permission, bring on to the Island any vehicle other than —

(a) a bicycle; or

(b) a wheelchair designed to be propelled solely by human power, or a motorised wheelchair that is designed so as to be not capable of a speed exceeding 10 km/h, for the exclusive use of a person whose physical condition requires the use of a wheelchair.

Penalty: a fine of $1 000.

(2) A ranger may —

(a) require a person to remove from the Island within a specified time any vehicle brought on to the Island in contravention of subregulation (1); and

(b) if such a requirement is not complied with, remove the vehicle from the Island.

(3) A person shall comply with a requirement made of him under subregulation (2)(a).

Penalty: a fine of $1 000.

(4) A ranger may do all such things as may be reasonably necessary to remove a vehicle under subregulation (2)(b) including breaking into, driving, or towing it, and neither he, nor the Authority, shall be liable for any loss of or damage to the vehicle which occurs without negligence or wilful misconduct on his part.

(5) The Authority may, in a court of competent jurisdiction, recover from the owner of a vehicle all costs and expenses reasonably incurred in removing a vehicle under this regulation and any person may, on the instructions of a ranger, refuse to deliver possession of the vehicle to the owner until such costs and expenses are paid.

[Regulation 45 amended: Gazette 19 Jun 1998 p. 3303; 25 Oct 2011 p. 4514; 24 Jan 2014 p. 114; 22 Sep 2015 p. 3863.]

46. Use of vehicles

(1) A person shall not, without permission, use a vehicle on the Island.

Penalty: a fine of $1 000.

(2) In subregulation (1) ***vehicle*** does not include a wheelchair as referred to in regulation 45(1)(b) or a bicycle.

[Regulation 46 amended: Gazette 25 Oct 2011 p. 4514; 24 Jan 2014 p. 114; 22 Sep 2015 p. 3863.]

*[**47, 48.** Deleted: Gazette 5 Apr 2016 p. 1028.]*

49. Vehicles on beaches

A person shall not, without permission, drive a motor vehicle on any beach of the Island.

Penalty: a fine of $1 000.

[Regulation 49 amended: Gazette 22 Sep 2015 p. 3863.]

50. Emergency vehicles

(1) Notwithstanding anything in these regulations the driver of an emergency vehicle may, in the course of his duties and when it is expedient and safe to do so —

(a) stop, stand or park the vehicle at any place and at any time; or

(b) exceed any speed limit applicable to the road under the *Road Traffic Act 1974*.

(2) In subregulation (1) ***emergency vehicle*** means a motor vehicle being used in connection with —

(a) urgent police duties;

(b) the fighting of fire or the answering of a fire call;

(c) assistance to a sick or injured person;

(d) any other emergency in which human life is reasonably believed by the driver of the vehicle to be in danger.

[Regulation 50 amended: Gazette 5 Apr 2016 p. 1028.]

51. Possession of hired bicycles

(1) A person shall not be in possession of —

(a) a hired bicycle without the consent of the hirer; or

(b) any other bicycle without the consent of the owner or person lawfully in charge of the same.

Penalty: a fine of $750.

(2) In subregulation (1) ***hired bicycle*** means a bicycle for the time being let out on hire —

(a) by the Authority in the course of operating a business of hiring bicycles; or

(b) by any person in the course of operating such a business under an arrangement made with the Authority.

(3) Subregulation (1) does not apply to a ranger acting in the course of duty.

[Regulation 51 amended: Gazette 4 Jan 2013 p. 23; 24 Jan 2014 p. 114.]

Division 4 — Control of certain activities

52. Erection of structures and tents

(1) A person shall not without permission erect any structure within the limits of the Island.

Penalty: a fine of $1 000.

(2) A person shall not without permission erect a tent within the limits of the Island except on a site in the camping ground and in accordance with a licence granted under regulation 8.

Penalty: a fine of $750.

(3) The Authority may remove and dispose of any structure or tent that has been erected in contravention of subregulation (1) or (2).

(4) The cost incurred by the Authority under subregulation (3) is a debt due to the Authority by a person who is shown to have erected the structure or tent and is recoverable in a court of competent jurisdiction.

(5) In this regulation ***structure*** means a building and any other thing that is fixed to land or to anything that is fixed to land.

[Regulation 52 amended: Gazette 8 Dec 2009 p. 5004; 22 Sep 2015 p. 3863.]

53. Organized events and meetings

(1) A person shall not without permission organize, advertise or participate in —

(a) any fete, concert, picnic or spectator event within the limits of the Island; or

(b) any race, game or sporting event that is of a dangerous nature, is likely to constitute an inconvenience or annoyance to persons, or affect the natural surface of the Island; or

(c) any public meeting or public speaking within the limits of the Island.

Penalty: a fine of $1 000.

(2) Nothing in subregulation (1)(a) applies to persons recreating as a family or group of families.

[Regulation 53 amended: Gazette 22 Sep 2015 p. 3863.]

54. Photography for commercial purposes

A person shall not, without permission take still or motion pictures within the limits of the Island by photographic or electronic means if the pictures are to be used for advertising or promotional purposes.

Penalty: a fine of $750.

[Regulation 54 amended: Gazette 9 Nov 1990 p. 5590; 8 Dec 2009 p. 5004.]

55. Bill sticking, advertising etc.

(1) A person shall not without permission —

(a) post, stick, stamp, stencil or otherwise affix any notice, handbill, placard, advertisement, paper or other document on or to any rock, tree, fence, post, gate, wall, pavement, road, footway, or building or other structure within the limits of the Island; or

(b) write, draw or paint on or deface any rock, tree, fence, post, gate, wall, pavement, road, footway, or building or other structure within the limits of the Island; or

(c) cause any of the acts prohibited by paragraph (a) or (b) to be done by any person.

Penalty: a fine of $750.

(2) Nothing in subregulation (1)(a) applies to the use of a notice board set up by the Authority for public use.

[Regulation 55 amended: Gazette 8 Dec 2009 p. 5004.]

56. Distribution of printed matter

(1) A person shall not without permission sell or distribute or carry or expose for sale or distribution within the limits of the Island any printed or written matter.

Penalty: a fine of $750.

(2) It is immaterial for the purposes of subregulation (1) that any matter is distributed or carried or exposed for distribution free of charge.

[Regulation 56 amended: Gazette 8 Dec 2009 p. 5005.]

57. Unauthorised sale etc. of goods or services

A person shall not within the limits of the Island, without permission, sell, offer or expose for sale, or provide by way of sale, any goods or services.

Penalty: a fine of $750.

[Regulation 57 inserted: Gazette 9 Nov 1990 p. 5590; amended: Gazette 8 Dec 2009 p. 5005.]

58. Exception to r. 55 and 56

Regulations 55 and 56 do not apply to any person, or the agent or employee of any person with whom the Authority has made an arrangement under section 13(d) of the Act so far as he, or his agent or employee, is acting in accordance with that arrangement.

59. Weapons etc.

(1) A person shall not without permission —

(a) carry or discharge any firearm, speargun, gidgie or any other offensive weapon, device or means for the taking of fauna;

(b) throw or release any missile or dangerous object or material of any kind;

(c) carry, make or set any trap or snare for any fauna,

within the limits of the Island.

Penalty: a fine of $1 000.

(2) A person shall not without permission have any explosive device in his possession, or discharge an explosive device, within the limits of the Island.

Penalty: a fine of $1 000.

(3) In subregulation (1) ***fauna*** has the meaning assigned to it by regulation 40(3).

(3a) In subregulation (2) —

explosive device includes a marine flare.

(4) Nothing in this regulation applies to —

(a) a speargun or gidgie that is carried in waters of the Island in which the speargun or gidgie may be used under the *Fisheries Act 1905* [2]; or

(b) the carrying or use of a firearm by a police officer in the course of duty; or

(c) the carrying of a marine flare in the waters of the Island; or

(d) the discharge of a marine flare in the waters of the Island in the case of an emergency, or where a vessel is in distress and requires assistance.

[Regulation 59 amended: Gazette 4 Jul 1997 p. 3531; 7 Dec 2001 p. 6189; 22 Sep 2015 p. 3863.]

60. Fires

(1) A person shall not without permission light make or use a fire on the Island other than in —

(a) a gas cooking stove; or

(b) an indoor fireplace provided by the Authority.

Penalty: a fine of $1 000.

(2) Nothing in subregulation (1) shall be read as authorising a person to light a fire in an open fireplace in contravention of the *Bush Fires Act 1954*.

[Regulation 60 amended: Gazette 4 Jul 1997 p. 3532; 22 Sep 2015 p. 3863.]

60A. Sandboarding

(1) A person shall not use a board or other object to slide down sandhills on the Island.

Penalty: a fine of $1 000.

(2) A person shall not possess a sandboard on the Island.

Penalty: a fine of $750.

(3) In this regulation —

sandboard means a board designed to be used for sliding down a slope of land.

[Regulation 60A inserted: Gazette 4 Jul 1997 p. 3532; amended: Gazette 8 Dec 2009 p. 5005; 22 Sep 2015 p. 3863.]

60B. Litter

(1) A person shall not deposit litter, or cause litter to be deposited, within the limits of the Island unless the litter is deposited in a place or receptacle set aside or provided for that purpose.

Penalty: a fine of $1 000.

(2) In this regulation —

litter has the same meaning as in the *Litter Act 1979*.

[Regulation 60B inserted: Gazette 4 Jul 1997 p. 3532; amended: Gazette 22 Sep 2015 p. 3863.]

Division 5 — Protection of certain undertakings

61. Water supply facilities, protection of

(1) A person shall not throw, deposit or leave any refuse or any noxious or polluting substance or thing —

(a) in any —

(i) reservoir or tank that holds or is intended to hold water for human consumption or use on the Island; or

(ii) pipe, conduit or fitting through which such water is passed or intended to be passed; or

(iii) pit, manhole or other structure containing valves, meters, fittings or connections for the distribution of such water;

or

(b) on any water catchment area on the Island.

Penalty: a fine of $1 000.

(2) A person shall not swim, bathe or wash in any reservoir or tank containing water stored for human consumption or use on the Island.

Penalty: a fine of $1 000.

(3) In subregulation (1) ***water catchment area*** means any area within which surface water is collected into a storage reservoir or tank for human consumption or use and —

(a) which is by order of the Authority published in the *Gazette* declared to be a water catchment area for the purposes of that subregulation; and

(b) in or in the vicinity of which there are sufficient signs indicating to the public that the area is a water catchment area.

[Regulation 61 amended: Gazette 22 Sep 2015 p. 3863.]

62. Electricity and gas supply facilities, protection of

A person shall not, without permission —

(a) draw electricity or gas from the Authority's supply; or

(b) remove, or interfere with, any component of, or appliance or fitting attached to, the Authority's system for gas or electricity supply, street or jetty lighting, or sewerage disposal; or

(c) put gas or electricity, or any appliance or fitting attached to the Authority's system for the supply of gas or electricity, to any use other than that for which it was provided or installed; or

(d) attempt to replace or repair any appliance or fitting installed by the Authority that has become unserviceable or ineffectual.

Penalty: a fine of $1 000.

[Regulation 62 amended: Gazette 22 Sep 2015 p. 3860 and 3863.]

Part 6 — Rottnest aerodrome

63. Terms used

In this Part, unless the contrary intention appears —

aerodrome means that part of the Island described in Schedule 3;

aircraft means any machine or craft that can derive support in the atmosphere from reaction with the air.

64. Use and closure of aerodrome

(1) Subject to this regulation, the aerodrome may be used for the landing, servicing and departure of aircraft, the embarkation and disembarkation of passengers and the transport of freight.

(2) The Authority may close the aerodrome to aircraft movements if it considers the surface of the aerodrome to be unsafe.

(3) A person in control of an aircraft shall not land at or depart from the aerodrome while it is closed under subregulation (2).

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 64 amended: Gazette 22 Sep 2015 p. 3862.]

65. Access to aerodrome

(1) A person shall not without permission be within the limits of the aerodrome, except within the terminal building, unless he is authorised by subregulation (2).

Penalty: a fine of $1 000.

(2) A person is authorised for the purposes of subregulation (1) if he —

(a) is required to be within the aerodrome in the course of his employment, trade or business; or

(b) is a passenger on, an intending passenger embarking on, or a person who has disembarked from, an aircraft lawfully using the aerodrome.

[Regulation 65 amended: Gazette 22 Sep 2015 p. 3863.]

66. Aircraft landings etc. restricted to aerodrome

(1) Except in an emergency, a person in control of an aircraft shall not without permission —

(a) land or touch down the aircraft within the limits of the Island except on the aerodrome; or

(b) take off or ascend from any part of the Island except the aerodrome.

Penalty: a fine of $1 000.

(2) In subregulation (1) ***aircraft*** includes a hang-glider and a balloon.

[Regulation 66 amended: Gazette 22 Sep 2015 p. 3863.]

67. Parking of aircraft

(1) The Authority may erect or establish any sign, mark, structure or device for the purpose of prohibiting, regulating or controlling the standing or parking of aircraft within the aerodrome, and the inscription on any such sign operates according to its tenor.

(2) A person shall comply with the inscription on a sign erected or established under subregulation (1).

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 67 amended: Gazette 22 Sep 2015 p. 3862.]

68. Removing certain persons from aerodrome

(1) An authorised person may remove from the aerodrome and may refuse admission to, any person, whether or not a passenger or intending passenger, whom he considers to be under the

influence of liquor, drugs or other substance so as to make his presence within the aerodrome dangerous to himself or others or offensive to others or otherwise undesirable.

(2) In subregulation (1) ***authorised person*** means a ranger or person employed by the Authority to manage or assist in the operation of the aerodrome.

[Regulation 68 amended: Gazette 15 Oct 2010 p. 5176.]

Part 7 — Offensive behaviour

69. Damage to property

A person shall not without authority destroy, damage or remove any building, jetty or other structure within the limits of the Island or any property owned by or under the control and management of the Authority, a public utility, or any person carrying on business on the Island.

Penalty: a fine of $1 000.

[Regulation 69 amended: Gazette 4 Jul 1997 p. 3532; 22 Sep 2015 p. 3860 and 3863.]

70. Assaults, indecent language, offensive behaviour etc.

(1) A person shall not within the limits of the Island —

(a) unlawfully assault any person; or

(b) use indecent, obscene, threatening, abusive or insulting language; or

(c) do or engage in any offensive, indecent or improper act, conduct or behaviour; or

(d) act in such a way as to cause a nuisance or annoyance to persons within the limits of the Island.

Penalty: a fine of $1 000.

(2) In subregulation (1)(a) ***assault*** and ***unlawfully*** have the respective meanings assigned to them by sections 222 and 223 of *The Criminal Code*.

(3) A person shall not write, draw, print, publish, record, broadcast, distribute, or otherwise disseminate within the limits of the Island any indecent or obscene matter of any kind.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 70 amended: Gazette 4 Jul 1997 p. 3532-3; 22 Sep 2015 p. 3862 and 3863.]

71. Unreasonable noise

A person shall not without permission, by the use of any electronic, mechanical or other instrument or machine or by natural means within the limits of the Island cause or produce a noise that unreasonably interferes with the convenience, comfort or amenity of any person.

Penalty: a fine of $1 000.

[Regulation 71 amended: Gazette 4 Jul 1997 p. 3533; 22 Sep 2015 p. 3863.]

72. Possession of liquor at Kingstown Barracks prohibited

(1) In this regulation —

Kingstown Barracks means the area bounded by —

(a) a line between coordinates 115°33'14.658"E 32°0'14.009"S and 115°33'16.745"E 32°0'16.137"S; and

(b) a line between coordinates 115°33'16.745"E 32°0'16.137"S and 115°33'11.719"E 32°0'19.547"S; and

(c) a line between coordinates 115°33'11.719"E 32°0'19.547"S and 115°33'9.742"E 32°0'17.035"S; and

(d) a line between coordinates 115°33'9.742"E 32°0'17.035"S and 115°33'14.658"E 32°0'14.009"S; and

which area is represented in the plan in Schedule 4A.

(2) A person must not, without permission, be in possession of liquor at Kingstown Barracks.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 72 inserted: Gazette 25 Oct 2011 p. 4514-15; amended: Gazette 22 Sep 2015 p. 3862; 5 Apr 2016 p. 1029.]

72AA. Ranger may direct person to stop activity

(1) A ranger may direct a person within the limits of the Island to cease any behaviour that is —

(a) causing a disturbance or annoyance to other persons or, in the opinion of the ranger, disorderly or offensive; or

(b) in the opinion of the ranger, dangerous.

(2) A person must comply with a direction of a ranger under this regulation.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 72AA inserted: Gazette 17 Dec 2010 p. 6361; amended: Gazette 22 Sep 2015 p. 3862.]

Part 8 — Miscellaneous

72A. Adequate insurance cover, specification of

(1) The Authority may, by notice published in the *Gazette* —

(a) specify, in relation to any class or classes of vessel —

(i) the type of insurance; and

(ii) the amount of indemnity provided by that insurance,

that is adequate insurance cover for the purposes of these regulations; and

(b) exempt any vessel, class or classes of vessel from the operation of any of these regulations to the extent that the regulation requires the vessel to have adequate insurance cover.

(2) An exemption under subregulation (1)(b) —

(a) is subject to such conditions and restrictions as the Authority may specify in the notice of exemption; and

(b) has effect according to its tenor.

(3) If the conditions or restrictions to which an exemption is subject are breached, the exemption ceases to have effect.

(4) The Authority may vary or revoke a notice under subregulation (1).

(5) A person shall not bring a vessel within the limits of the Island, or allow a vessel to remain within the limits of the Island, unless the vessel has adequate insurance cover.

Penalty: a fine of $750.

(6) For the purposes of subregulation (5), any person on a vessel (other than a vessel on which persons are usually carried for reward) is taken to allow the vessel to remain within the limits

of the Island unless the person shows to the satisfaction of the Authority that —

(a) the person does not have responsibility for the vessel; and

(b) another person is properly responsible for the vessel.

[Regulation 72A inserted: Gazette 4 Jul 1997 p. 3533-4; amended: Gazette 19 Jun 1998 p. 3303; 8 Dec 2009 p. 5005.]

73. Infringement notices

(1) The offences created by a provision of these regulations specified in column 2 of table set out in Schedule 4 are the offences to which a modified penalty under section 42 of the Act applies.

(2) Forms 2 and 3 in Schedule 1 are prescribed for the purposes of subsections (1) and (6) respectively of section 42 of the Act.

74. Abandoned or dangerous property, removal of

(1) Subject to this regulation, the Authority may take possession of and remove or dispose of any property within the limits of the Island if —

(a) the Authority has reasonable grounds to believe that it has been abandoned, is derelict or constitutes a danger to persons or property or an environmental risk; or

(b) a notice under subregulation (2)(b) relating to that property has not been complied with.

(2) Before exercising the power in subregulation (1)(a) in respect of property that is abandoned or derelict the Authority shall —

(a) make reasonable inquiry as to the identity and whereabouts of the person who is or has been the owner or part owner of the property or has or last had possession of the property; and

(b) if the identity and whereabouts of that person become known to the Authority, give written notice to the person requiring the person to remove or dispose of the property within the time specified in the notice.

(3) A person to whom a notice is given under subregulation (2)(b) shall comply with the notice.

Penalty: a fine of $1 000.

(4) Any cost incurred by or on behalf of the Authority under this regulation is a debt due to the Authority by a person who is shown to have been the owner or a part owner, or in the case of abandoned property, the former owner or a former part owner, at the time of removal and is recoverable in a court of competent jurisdiction.

[(5)-(7) deleted]

(8) The Authority shall give possession of the property to any person who proves that he or she is entitled to the property and who pays to the Authority all costs incurred by it under this regulation.

(9) If property is owned by more than one person each person shall be jointly and severally liable for any debt due to the Authority under this regulation.

[Regulation 74 inserted: Gazette 4 Jul 1997 p. 3534; amended: Gazette 25 Oct 2011 p. 4515; 22 Sep 2015 p. 3863; 25 Oct 2016 p. 4877.]

74A. False information

A person shall not provide to the Authority information, or authorise or permit the provision to the Authority of information, that the person knows —

(a) to be false or misleading in a material particular; or

(b) has omitted from it a matter or thing the omission of which renders the information misleading in a material respect.

Penalty: a fine of $750.

[Regulation 74A inserted: Gazette 4 Jul 1997 p. 3535; amended: Gazette 8 Dec 2009 p. 5005.]

74B. Offences relating to stickers and documents issued by Authority

(1) A person must not alter any information on —

(a) a sticker issued by the Authority under regulation 7(1)(b) or 7A(3); or

(b) a sticker or document issued by the Authority for a licence or authorisation under Part 3 or 4.

Penalty: a fine of $1 000.

(2) The operator of a vessel, and any person who is in charge of the vessel, must ensure that a sticker issued by Authority under regulation 7(1)(b) or 7A(3) or Part 4 Division 3 is not exhibited on the vessel unless —

(a) the sticker was issued in relation to that vessel; and

(b) the information on the sticker has not been altered.

Penalty for an offence under this subregulation: a fine of $1 000.

[Regulation 74B inserted: Gazette 17 Dec 2010 p. 6361; amended: Gazette 22 Sep 2015 p. 3860 and 3862; 21 Dec 2018 p. 4855.]

74C. Offences relating to documents issued by mooring site licensee

A person must not alter any information on an authorisation document issued by a mooring site licensee.

Penalty: a fine of $1 000.

[Regulation 74C inserted: Gazette 17 Dec 2010 p. 6362.]

75. Repeal and transitional provisions

(1) The *Rottnest Island By-laws* are repealed.

(2) An authority or consent given by the Board under the repealed by-laws that is in force immediately before the commencement is deemed to be a permission granted under these regulations.

(3) A licence under by-law 13 that is in force immediately before the commencement is deemed to be a licence under regulation 5.

(4) The powers in regulation 41(3) may be exercised in respect of a contravention of by-law 11.

(5) The powers in regulation 45(2) may be exercised in respect of a contravention of by-law 18.

(6) A person who immediately before the commencement is liable to pay or remit any admission fee under by-law 23 or 24 but has not done so is deemed to be liable to pay or remit the fee under regulation 5 or 6, as the case may be.

(7) An amount that is paid under by-law 23A in respect of the financial year that is current at the commencement is deemed to be paid for the purposes of regulation 7.

(8) Nothing in this regulation shall be construed to limit the operation of the *Interpretation Act 1984*.

(9) In this regulation —

Board means the Rottnest Island Board dissolved by clause 2 of Schedule 2 of the Act;

by-law means a by-law of the repealed by-laws;

commencement means the commencement of these regulations;

repealed by-laws means the by-laws repealed by subregulation (1).

[Regulation 75 amended: Gazette 19 Jun 1998 p. 3303.]

Schedule 1 — Forms

[r. 14 and 73(2)]

[Heading inserted: Gazette 25 Oct 2011 p. 4515.]

[Form 1 deleted: Gazette 4 Jul 1997 p. 3535.]

Form 2

Rottnest Island Authority Act 1987

INFRINGEMENT NOTICE

Serial No. .....

Date ...../...../.....

To: (1) .....
of: (2) .....
It is alleged that on ...../...../..... at (3) .....
at (4) .....
you committed the offence indicated below by a cross (X).

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty as shown may be paid to the Rottnest Island Authority, 1st floor, E Shed, Victoria Quay, or PO Box 693, Fremantle, 6959 within a period of 21 days after the giving of this notice.

If this modified penalty is not paid within 21 days of the date of this notice, court proceedings may be taken against you.

.....
Ranger

(1) Name of alleged offender
(2) Address of alleged offender
(3) Time at which offence allegedly committed
(4) Place at which offence allegedly committed

Form 2

	OFFENCE	PENALTY
☐	Regulation 5(4) — failing or refusing to pay admission fee, not being a passenger on commercial transport	$150
☐	Regulation 9(1) — taking up unauthorised casual residence	$200
☐	Regulation 11(2) — securing vessel to mooring without authority or without exhibiting sticker or licence	$150
☐	Regulation 38A(3) — exceeding speed limit for vessel in defined area	$100
☐	Regulation 40(1) — interfering etc. with fauna or habitat etc. of fauna	$200
☐	Regulation 41(1) — without permission causing or allowing animal or bird to enter Island	$200
☐	Regulation 41A(2) — feeding fauna contrary to sign or notice	$150
☐	Regulation 59(1)(a) — without permission carrying or discharging firearm, speargun, gidgie etc.	$200
☐	Regulation 60(1) — without permission lighting, making or using fire other than in gas stove or indoor fireplace	$200
☐	Regulation 60B(1) — littering	$200
☐	Regulation 70(1)(c) — doing or engaging in any offensive, indecent or improper act, conduct or behaviour	$200
☐	Regulation 72(2) — being in possession of liquor at Kingstown Barracks	$200
☐	Other (specify)	$

[Form 2 inserted: Gazette 7 Dec 2001 p. 6189-90; amended: Gazette 8 Dec 2009 p. 5005-6; 25 Oct 2011 p. 4515; 5 Apr 2016 p. 1029.]

Form 3

Rottnest Island Authority Act 1987

WITHDRAWAL OF INFRINGEMENT NOTICE

No. .....
Date.....

To [1] .....
Infringement Notice No. ..... dated .....
for the alleged offence of [2] .....
.....
.....
..... (Modified penalty $ ..... [3]) is hereby withdrawn.

No further action will be taken. [4]
OR
It is proposed to institute court proceedings for the alleged offence. [4]

.....
Chief Executive Officer,
Rottnest Island Authority.

[1] Insert name and address of alleged offender.
[2] Insert short particulars of offence alleged.
[3] Insert amount of penalty prescribed.
[4] Delete whichever does not apply.

Schedule 2

[reg. 36(1)]

Note: Maps showing the approximate boundaries of the areas described in this Schedule are available for inspection at the office of the Authority on the Island.

Part A — Water catchment area

All that part of the Island containing approximately 16 hectares that is bounded generally to the west and south by the road from Geordie Bay to Bovell Highway, to the north by the cycle track from Longreach settlement to the Basin, and to the east by the golf course, and that is enclosed by a wire netting fence 1 800 mm in height and topped with barbed wire.

Part B — Waste-water treatment facility

All that part of the Island containing approximately one hectare that is situated to the south of the Point between Pinky Beach and the Basin and to the north of the road between Thomson Bay settlement and the Basin and that is enclosed by a chain mesh fence 1 800 mm in height.

Schedule 3

[reg. 63]

Rottnest aerodrome

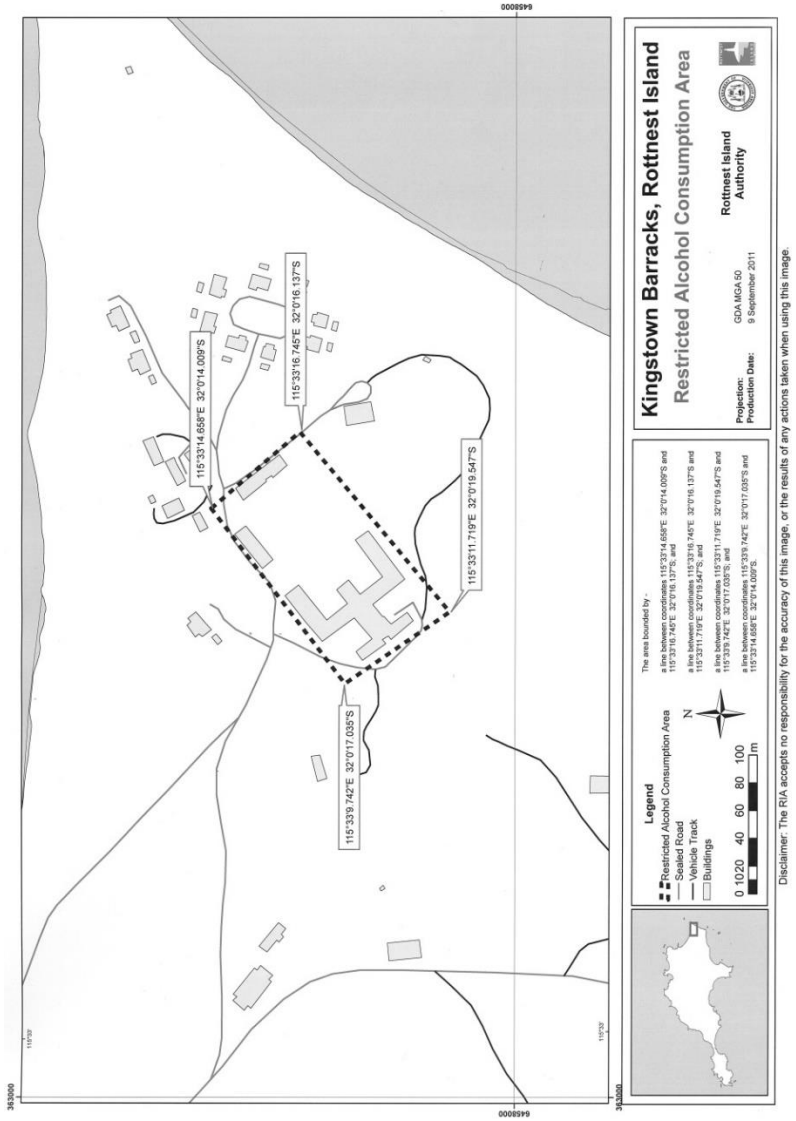
All that part of the Island containing approximately 21 ha that is situated to the south of Government House Lake and bounded by a line commencing where a fence adjoins the west side of the terminal building and following the line of that fence to the edge of Government House Lake and following the edge of that lake for approximately 80 m to a point where it merges with a line of white conical markers and following that line westwards, then southwards, then eastwards, then northwards and then westwards to the edge of the sealed taxi-way and following the edge of that taxi-way northwards for approximately 15 m and then westwards for approximately 200 m to the point where it intersects a line drawn through 2 blue conical markers on the east side of the helicopter parking area and following that line for approximately 60 m to the point where it intersects a fence line and following that fence line eastwards, then northwards, then westwards, then southwards and then westwards to the terminal building, and including the terminal building.

A map showing the approximate boundaries of the aerodrome is available for inspection at the office of the Authority on the Island.

Schedule 4A — Kingstown Barracks

[r. 72]

[Heading inserted: Gazette 25 Oct 2011 p. 4516; amended: Gazette 5 Apr 2016 p. 1029.]



[Schedule 4A inserted: Gazette 25 Oct 2011 p. 4516.]

Schedule 4 — Offences to which modified penalties apply

[r. 73]

[Heading inserted: Gazette 8 Dec 2009 p. 5007.]

Item	Regulation	Matter to which regulation relates	Modified penalty $
1.	5(4)	Failing or refusing to pay admission, not being a passenger on commercial transport	150
2AAA.	6(1)	Failing to collect, or remit fees collected, from ferry passengers	200
2AA.	6(4)	Passing on ticket with intention of providing false evidence as to payment of admission fee	150
2A.	7(2)	Failing to ensure annual payment sticker is exhibited on non-commercial vessels	150
2B.	7A(4)	Failing to ensure annual permit sticker is exhibited on domestic commercial vessel	200
2C.	7A(5)	Failing to register journey to the Island	200
2D.	7A(6)	Failing to collect, or remit fees collected, from domestic commercial vessel passengers	200
2.	9(1)	Taking up unauthorised casual residence	200
3.	11(1)(a)	Installing mooring without permission	200
4.	11(1)(b)	Securing vessel to mooring installed without permission	200
5.	11(2)	Securing vessel to mooring without authority or without exhibiting sticker or licence	150

Item	Regulation	Matter to which regulation relates	Modified penalty $
6.	11(3)(a)	Securing vessel to mooring where vessel already secured	150
7.	11(3)(b)	Securing vessel to vessel secured to mooring	150
8.	12(1)	Anchoring vessel closer than 50 m to mooring or so that it obstructs mooring	150
9A.	13A(1)	Securing vessel by means of another vessel's anchor	150
9B.	13(1)	Anchoring or securing vessel without competent operator	150
9.	28(3)	Licensee failing to have mooring inspection report	150
10A.	28(4)	Licensee failing to provide copy of any mooring site inspection report within 7 days	150
10.	28(5)	Licensee using mooring in respect of which Authority does not have mooring inspection report	150
11.	29(3)	Failing to comply with notice to move unattended vessel	150
12.	30(8)	Removing mooring that is subject to notice prohibiting removal	150
13.	36(1)(a)	Being in a restricted area without permission	150
14.	36(1)(b)	Being in a protected area without permission	150
15.	36(1)(c)	Using a closed track or path without permission	150

Item	Regulation	Matter to which regulation relates	Modified penalty $
16.	36A(a)	Securing vessel to structure not designed for that use	150
17.	36A(b)	Using apparatus other than beach anchor as a beach anchor	150
18.	37(1)(a)	Beaching vessel in Thomson, Longreach or Geordie Bay without permission and not in permitted area	150
19.	37(1)(b)	Beach-anchoring a vessel in Thomson, Longreach or Geordie Bay without permission and not in permitted area	150
20.	38A(3)	Exceeding speed limit set for vessel in defined area	100
21.	38B(3)	Using vessel contrary to notice setting aside area and imposing conditions for use of that vessel	200
22.	38C(2)	Discharging or depositing black water from vessel other than by approved system	200
23A.	38E(2)	Use of main jetty contrary to signs	200
23B.	38F(5)	Berthing commercial vessel at main jetty otherwise than in accordance with written approval	200
23C.	38H(1)	Master failing to keep or produce manifest	200
23D.	38H(2)	Operator failing to keep or produce manifest	200
23E.	38I(2)	Unauthorised works on main jetty	200

Item	Regulation	Matter to which regulation relates	Modified penalty $
23F.	38J(2)	Unauthorised repairs to vessel berthed at main jetty	200
23G.	38L(3)	Failing to ensure master of vessel at main jetty has a certificate of competency	200
23H.	38K(1)	Berthing a vessel at main jetty using unauthorised fittings	200
23I.	38K(2)	Berthing a vessel in a manner that obstructs steps or landing	200
23J.	38T(1)	Failing to provide suitable gangway for embarking and disembarking passengers	200
23K.	38U(1)	Throwing litter or other things onto or from main jetty	200
23L.	38U(2)	Smoking on main jetty	200
23.	39(1)	Injuring etc. flora or removing stake or label relating to flora	200
24.	40(1)	Interfering etc. with fauna or habitat etc. of fauna	200
25.	41(1)	Without permission causing or allowing animal or bird to enter Island	200
26.	41A(2)	Feeding fauna contrary to sign or notice	150
27A.	41B(2)	Without permission causing or allowing flora to be brought to Island	200
27.	42(1)	Causing damage to any rock or soil without permission	150

Item	Regulation	Matter to which regulation relates	Modified penalty $
28.	44(3)	Failing to comply with traffic sign or with ranger's signal or direction relating to vehicle	150
29AA.	45(1)	Bringing vehicle on to Island without permission	200
29A.	46(1)	Using vehicle without permission	200
[29.	*Deleted]*		
30A.	51(1)(a)	Possessing hired bicycle without consent	150
30B.	51(1)(b)	Possessing bicycle without consent	150
30C.	52(2)	Erecting tent without permission	150
30.	53	Without permission organising, advertising or participating in any event or meeting	200
31.	55(1)	Without permission affixing notice etc., defacing rock, tree, pavement, structure etc. or causing any such act to be done	150
32.	56(1)	Without permission selling, distributing etc. printed or written matter	150
33.	59(1)(a)	Without permission carrying or discharging firearm, speargun, gidgie etc.	200
34.	59(2)	Without permission having, or discharging, explosive device within limits of Island	200
35.	60(1)	Without permission lighting, making or using fire other than in gas stove or indoor fireplace	200

Item	Regulation	Matter to which regulation relates	Modified penalty $
36.	60A(1)	Sandboarding	200
37.	60A(2)	Possessing sandboard	150
38.	60B(1)	Littering	200
39.	65(1)	Being within aerodrome limits without permission or authority	200
40.	69	Without authority destroying or damaging building or structure	200
41.	70(1)(a)	Unlawfully assaulting a person	200
42.	70(1)(b)	Using indecent, obscene, threatening, abusive or insulting language	200
43.	70(1)(c)	Doing or engaging in any offensive, indecent or improper act, conduct or behaviour	200
44.	70(1)(d)	Acting in such a way as to cause a nuisance or annoyance to persons	200
45.	70(3)	Writing etc. or distributing or otherwise disseminating indecent or obscene matter	200
46.	71	Causing or producing noise that unreasonably interferes with convenience, comfort or amenity of any person	200
47.	72(2)	Being in possession of liquor at Kingstown Barracks	200
48.	72AA(2)	Failure to comply with direction of ranger	200
49.	74B(1)	Altering information on sticker or document issued by the Authority	200
50.	74B(2)	Wrongly displaying a sticker on a vessel	200

Item	Regulation	Matter to which regulation relates	Modified penalty $
51.	74C	Altering information on authorisation issued by mooring site licensee	200

[Schedule 4 inserted: Gazette 8 Dec 2009 p. 5007-9; amended: Gazette 15 Oct 2010 p. 5177; 17 Dec 2010 p. 6362; 25 Oct 2011 p. 4516-17; 4 Jan 2013 p. 23-4; 24 Jan 2014 p. 114; 22 Sep 2015 p. 3861; 5 Apr 2016 p. 1029; 25 Oct 2016 p. 4877.]

[Schedule 5 deleted: Gazette 22 Sep 2015 p. 3862.]

Schedule 6 — Aerodrome usage fees

[r. 7B and 7C]

[Heading inserted: SL 2026/119 r. 4.]

Item	Description of fee	Fee ($)
1.	Aerodrome usage fee (r. 7B(1))	65.00
2.	Annual aerodrome usage fee (r. 7C(1)(b))	199.50

[Schedule 6 inserted: SL 2026/119 r. 4.]

Schedule 7 — Miscellaneous fees

[r. 5, 7, 7A, 7C, 20, 22, 26, 30, 31B, 31E and 33]

[Heading inserted: SL 2026/119 r. 4.]

Division 1 — Admission fees

[Heading inserted: SL 2026/119 r. 4.]

Item	Description of fee	Fee ($)
1.	Admission fee to Island (r. 5(1)) if travelling to and from the Island on the same day —	
	(a) for a child (aged 4 years or over but under 17 years)	11.00
	(b) for an adult (aged 17 years or over)	21.50
	(c) for a family (2 adults and 2 children)	57.00
2.	Admission fee to Island (r. 5(1)) if travelling to and from the Island on different days —	
	(a) for a child (aged 4 years or over but under 17 years)	14.50
	(b) for an adult (aged 17 years or over)	28.50
	(c) for a family (2 adults and 2 children)	75.00
3.	Annual admission payment for vessel (r. 7(1)(a)) if length of vessel is —	
	(a) 8 m or less	380.50
	(b) more than 8 m but less than 10 m	456.50
	(c) 10 m or more but less than 15 m	533.00
	(d) 15 m or more but less than 20 m	913.50

Item	Description of fee	Fee ($)
	(e) 20 m or more	1 066.00
4.	Annual permit fee for domestic commercial vessel (r. 7A(2))	128.00
5.	Annual admission fee for aircraft (r. 7C(1)(a))	389.50

[Division 1 inserted: SL 2026/119 r. 4.]

Division 2 — Mooring site licences

[Heading inserted: SL 2026/119 r. 4.]

Item	Description of fee	Fee ($)
6.	Application fee for mooring site licence (r. 20(3)(c))	68.00
7.	Annual mooring site licence fee (r. 22(3)(b)(i) and 33(3)(b)(i)) if length of licensed vessel or vessel to be licensed is —	
	(a) 10 m or less	1 268.50
	(b) more than 10 m	127.00/m of length of vessel
8.	Fee for replacement of lost mooring sticker (r. 26(4A)(b))	27.00
9.	Mooring exchange fee (r. 30(10)(ba))	344.50

[Division 2 inserted: SL 2026/119 r. 4.]

Division 3 — Authorised user payment

[Heading inserted: SL 2026/119 r. 4.]

Item	Description of fee	Fee ($)
10.	Annual authorised user payment (r. 31B(3)(a)(ii) and 31E(1)(b)) in respect of authorised vessel or nominated vessel	64.00/m of length of vessel

[Division 3 inserted: SL 2026/119 r. 4.]

Schedule 8 — Berthing fee for main jetty

[r. 38G]

[Heading inserted: SL 2022/124 r. 4.]

Item	Fee		
1.	Berthing fee (r. 38G(1)) to berth a vessel at the main jetty overnight		
	(a)	Annual rate	$73.00/passenger (based on surveyed passenger carrying capacity for the vessel's highest class of survey) **plus** if length of vessel is 18 m or less — $9 435.00 if length of vessel is more than 18 m but less than 35 m — $524.00/m of length of vessel if length of vessel is 35 m or more — $837.50/m of length of vessel
	(b)	Quarterly rate	30% of the annual rate
	(c)	Monthly rate	12% of the annual rate
	(d)	Daily rate	1% of the annual rate
2.	Berthing fee (r. 38G(1)) to berth a vessel at the main jetty for a portion of a day		
	(a)	Annual rate	50% of the annual rate in item 1
	(b)	Quarterly rate	50% of the quarterly rate in item 1
	(c)	Monthly rate	50% of the monthly rate in item 1
	(d)	Daily rate	50% of the daily rate in item 1

[Schedule 8 inserted: SL 2022/124 r. 4; amended: SL 2023/60 r. 5; SL 2024/112 r. 5; SL 2025/98 r. 5; SL 2026/119 r. 5.]

Notes

This is a compilation of the *Rottnest Island Regulations 1988* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
Rottnest Island Regulations 1988	30 May 1988 p. 1825-46	30 May 1988 (see r. 2 and *Gazette* 30 May 1988 p. 1823)
Rottnest Island Amendment Regulations 1990 [3]	9 Nov 1990 p. 5589-91	9 Nov 1990
Rottnest Island Amendment Regulations 1991	14 Jun 1991 p. 2914-15	14 Jun 1991
Rottnest Island Authority Amendment Regulations 1993	29 Oct 1993 p. 5928	29 Oct 1993
Rottnest Island Amendment Regulations (No. 2) 1993	14 Dec 1993 p. 6666-8	14 Dec 1993
Rottnest Island Amendment Regulations 1994	30 Dec 1994 p. 7347-9	30 Dec 1994
Rottnest Island Amendment Regulations 1995	21 Jul 1995 p. 3115-16	21 Jul 1995
Rottnest Island Amendment Regulations 1997 [4]	4 Jul 1997 p. 3510-39 (correction 18 Jul 1997 p. 3782)	4 Jul 1997
Reprint of the *Rottnest Island Regulations 1988* as at 1 Aug 1997 (includes amendments listed above)		
Rottnest Island Amendment Regulations 1998	19 Jun 1998 p. 3302-3	1 Jul 1998 (see r. 2)
Rottnest Island Amendment Regulations 1999	15 Jun 1999 p. 2574-5	15 Jun 1999
Rottnest Island Amendment Regulations 2000	23 Jun 2000 p. 3211-12	1 Jul 2000 (see r. 2)
Rottnest Island Amendment Regulations 2001	7 Dec 2001 p. 6188-90	7 Dec 2001
Rottnest Island Amendment Regulations 2003 [5]	24 Apr 2003 p. 1271-3	24 Apr 2003

Citation	Published	Commencement
Rottnest Island Amendment Regulations (No. 2) 2003	20 Jun 2003 p. 2251-2	1 Jul 2003 (see r. 2)
Rottnest Island Amendment Regulations (No. 3) 2003	27 Jun 2003 p. 2406-8	1 Sep 2003 (see r. 2)
Rottnest Island Amendment Regulations (No. 2) 2004	29 Jun 2004 p. 2545-8	1 Jul 2004 (see r. 2)
Reprint 2: The *Rottnest Island Regulations 1988* as at 14 Jan 2005 (includes amendments listed above)		
Rottnest Island Amendment Regulations 2006	8 Aug 2006 p. 2906-8	8 Aug 2006
Rottnest Island Amendment Regulations 2007	24 Jul 2007 p. 3665-7	r. 1 and 2: 24 Jul 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Jul 2007 (see r. 2(b))
Rottnest Island Amendment Regulations 2008	24 Jun 2008 p. 2911-13	r. 1 and 2: 24 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2008 (see r. 2(b))
Rottnest Island Amendment Regulations 2009	3 Jul 2009 p. 2700-3	r. 1 and 2: 3 Jul 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 4 Jul 2009 (see r. 2(b)(ii))
Reprint 3: The *Rottnest Island Regulations 1988* as at 21 Aug 2009 (includes amendments listed above)		
Rottnest Island Amendment Regulations (No. 2) 2009	4 Dec 2009 p. 4920-6	r. 1 and 2: 4 Dec 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Dec 2009 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 3) 2009	8 Dec 2009 p. 5002-9	r. 1 and 2: 8 Dec 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 9 Dec 2009 (see r.2(b))
Rottnest Island Amendment Regulations (No. 2) 2010	31 Aug 2010 p. 4189-91	r. 1 and 2: 31 Aug 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Sep 2010 (see r. 2(b)(ii))
Rottnest Island Amendment Regulations 2010	15 Oct 2010 p. 5176-7	r. 1 and 2: 15 Oct 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 16 Oct 2010 (see r. 2(b))

Citation	Published	Commencement
Rottnest Island Amendment Regulations (No. 3) 2010	17 Dec 2010 p. 6359-62	r. 1 and 2: 17 Dec 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Dec 2010 (see r. 2(b))
Rottnest Island Amendment Regulations 2011	4 Mar 2011 p. 701	r. 1 and 2: 4 Mar 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Mar 2011 (see r. 2(b))
Reprint 4: The *Rottnest Island Regulations 1988* as at 18 Mar 2011 (includes amendments listed above)		
Rottnest Island Amendment Regulations (No. 2) 2011	29 Jul 2011 p. 3144-6	r. 1 and 2: 29 Jul 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Jul 2011 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 3) 2011	25 Oct 2011 p. 4512-17	r. 1 and 2: 25 Oct 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 26 Oct 2011 (see r. 2(b))
Rottnest Island Amendment Regulations 2012	29 Jun 2012 p. 2960-2	r. 1 and 2: 29 Jun 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Jun 2012 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2012	4 Jan 2013 p. 22-4	r. 1 and 2: 4 Jan 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Jan 2013 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2013	18 Jun 2013 p. 2307-8	r. 1 and 2: 18 Jun 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2013 (see r. 2(b))
Rottnest Island Amendment Regulations 2013	24 Jan 2014 p. 113-14	r. 1 and 2: 24 Jan 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Jan 2014 (see r. 2(b))
Reprint 5: The *Rottnest Island Regulations 1988* as at 4 Apr 2014 (includes amendments listed above)		
Rottnest Island Amendment Regulations (No. 2) 2014	20 Jun 2014 p. 2041-3	r. 1 and 2: 20 Jun 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2014 (see r. 2(b))

Citation	Published	Commencement
Rottnest Island Amendment Regulations 2014	8 Jan 2015 p. 149-50	r. 1 and 2: 8 Jan 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 27 Apr 2015 (see r. 2(b) and *Gazette* 17 Apr 2015 p. 1371)
Rottnest Island Amendment Regulations 2015	5 Jun 2015 p. 1974-6	r. 1 and 2: 5 Jun 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2015 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2015	22 Sep 2015 p. 3849-63	r. 1 and 2: 22 Sep 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 23 Sep 2015 (see r. 2(b))
Rottnest Island Amendment Regulations 2016	5 Apr 2016 p. 1028-9	r. 1 and 2: 5 Apr 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 6 Apr 2016 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2016	17 Jun 2016 p. 2112-14	r. 1 and 2: 17 Jun 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2016 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 3) 2016	25 Oct 2016 p. 4874-7	r. 1 and 2: 25 Oct 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 26 Oct 2016 (see r. 2(b))
Rottnest Island Amendment Regulations 2017	2 May 2017 p. 2305-6	r. 1 and 2: 2 May 2017 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2017 (see r. 2(b))
Reprint 6: The *Rottnest Island Regulations 1988* as at 12 Jan 2018 (includes amendments listed above)		
Rottnest Island Amendment Regulations 2018	22 Jun 2018 p. 2182-3	r. 1 and 2: 22 Jun 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2018 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2018	21 Dec 2018 p. 4854-6	r. 1 and 2: 21 Dec 2018 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Dec 2018 (see r. 2(b))
Rottnest Island Amendment Regulations 2019	9 Aug 2019 p. 3026-7	r. 1 and 2: 9 Aug 2019 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Aug 2019 (see r. 2(b))

Citation	Published	Commencement
Rottnest Island Amendment Regulations 2020	SL 2020/118 17 Jul 2020	r. 1 and 2: 17 Jul 2020 (see r. 2(a)); Regulations other than r. 1 and 2: 18 Jul 2020 (see r. 2(b))
Rottnest Island Amendment Regulations 2021	SL 2021/107 29 Jun 2021	r. 1 and 2: 29 Jun 2021 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2021 (see r. 2(b))
Rottnest Island Amendment Regulations 2022	SL 2022/124 30 Jun 2022	r. 1 and 2: 30 Jun 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2022 (see r. 2(b))
Rottnest Island Amendment Regulations 2023	SL 2023/60 2 Jun 2023	r. 1 and 2: 2 Jun 2023 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2023 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2024	SL 2024/112 26 Jun 2024	r. 1 and 2: 26 Jun 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2024 (see r. 2(b))
Rottnest Island Amendment Regulations 2024	SL 2024/126 26 Jun 2024	r. 1 and 2: 26 Jun 2024 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2024 (see r. 2(b))
Rottnest Island Amendment Regulations (No. 2) 2025	SL 2025/98 25 Jun 2025	r. 1 and 2: 25 Jun 2025 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2025 (see r. 2(b))
Rottnest Island Amendment Regulations 2026	SL 2026/119 24 Jun 2026	r. 1 and 2: 24 Jun 2026 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2026 (see r. 2(b))

Other notes

[1] Formerly referred to the *Navigable Waters Regulations* the citation of which was changed to the *Navigable Waters Regulations 1958* by the *Navigable Waters Amendment Regulations (No. 2) 2005* r. 3. The reference was changed under the *Reprints Act 1984* s. 7(3)(gb).

[2] Repealed by the *Fish Resources Management Act 1994* s. 265.

[3] Regulations 5, 7 and 18 disallowed on 28 May 1991, see *Gazette* 31 May 1991 p. 2710-11.

4 The *Rottnest Island Amendment Regulations 1997* r. 5(2) is a transitional provision that is of no further effect.

5 The *Rottnest Island Amendment Regulations 2003* r. 4(3) is a transitional provision that is of no further effect.

Defined terms

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined term	Provision(s)
accommodation	8(7), 10(2)
additional vessel	19, 27(2)
adequate insurance cover	3
aerodrome	63
aircraft	63, 66(2)
anchor	3
annual admission payment	3
approved	3
approved form	3
assault	70(2)
authorised person	68(2)
authorised user	19
authorised vessel	19
beach	37(2)
bicycle	3
black water	38C(1)
Board	75(9)
by-law	75(9)
certificate of registration	3
collection period	6(2)
commencement	75(9)
commercial aircraft	3
commercial vessel	3
competent operator	13(2)
declare	3
declared	3
domestic commercial vessel	3
emergency vehicle	50(2)
explosive device	59(3a)
fauna	40(3), 59(3)
ferry	3
fish	40(3)
flora	39(2), 41B(1)
hired bicycle	51(2)
journey	3
Kingstown Barracks	72(1)
length	3
licensed vessel	19, 26(1)
liquor	3

litter ..... 60B(2)
loss ..... 18(1)
main jetty 3
Marine Safety (Domestic Commercial Vessel) National Law 3
mooring 3
mooring area 3
mooring inspection report 19
mooring site 3
mooring site licence 3
mooring site licensee 3
nominated vessel ..... 31B(2), 31C(3)
officer 38D
operator 3
overall length 3
permanent resident 3
permitted area ..... 37(2)
previous licensee ..... 30(4)
register 3
rental licence 3
rental mooring 3
repealed by-laws ..... 75(9)
restricted area ..... 36(1)
sandboard ..... 60A(3)
specified ..... 15(6)
structure ..... 52(5)
suitable vessel 19
take ..... 39(2)
unlawfully ..... 70(2)
use 3
vehicle ..... 3, 38N(1), 46(2)
vessel 3
waiting list 19
water catchment area ..... 61(3)
waters of the Island 3

© State of Western Australia 2026.
This work is licensed under a Creative Commons Attribution 4.0 International Licence (CC BY 4.0).
To view relevant information and for a link to a copy of the licence, visit www.legislation.wa.gov.au.
Attribute work as: © State of Western Australia 2026.
By Authority: ANDREW JONES, Government Printer