



Western Australia

## **Western Australian Marine (Infringements) Regulations 1985**

Compare between:

[09 Aug 2023, 03-f0-01] and [01 Sep 2023, 03-g0-01]



## Western Australian Marine (Infringements) Regulations 1985

### 1. Citation

These regulations may be cited as the *Western Australian Marine (Infringements) Regulations 1985*.

### 2. Commencement

These regulations shall come into operation 3 months after the day on which they are published in the *Gazette*.

### 3A. Terms used

In these regulations, unless the contrary intention appears —  
*Act* means the *Western Australian Marine Act 1982*;

*Department* means the Department principally assisting the Minister in the administration of the Act.

[*Regulation-3A inserted: Gazette 9 Oct 2012 p. 4755.*]

### 3. Modified penalties

The amount specified in the fourth column of Schedule 1 opposite the description set out in the third column of that Schedule of an offence created by the provision specified opposite thereto in the second column of that Schedule is the modified penalty in respect of that offence for the purposes of section 132(1) of the Act.

**4. Forms**

The several forms specified in Schedule 2 are prescribed for the respective purposes for which forms are required by sections 132(1), 132(5), 133(2) and 134(1) of the Act.

**5. Offence of unauthorised endorsement or alteration of infringement notices**

- (1) A person who, not being an authorised person or a designated officer, makes any endorsement on, or alteration to, an infringement notice commits an offence and is liable to a penalty not exceeding \$200.
- (2) In subregulation (1) —  
*authorised person*, *designated officer* and *infringement notice* have the respective meanings given to them by section 132(11) of the Act.

**Schedule 1 — Modified penalties**

[r. 3]

*[Heading inserted: Gazette 13 Nov 2009 p. 4538.]*

Item	<i>Navigable Waters Regulations 1985</i>	Description of offence	Modified penalty \$
1	6A	Failing to comply with directions .....	200
1AA	10(a)	Obstructing, impeding or interfering with passage of vessel approaching or leaving public jetty or bridge.....	100
1AB	10(b)	Causing a nuisance to any person on, in or about vessel, public jetty or bridge .....	100
1AC	10A(b) (as read with r. 20)	Swimming from or near public jetty or bridge specified in notice or within area of navigable waters defined in notice .....	100
1A	14	Vessel travelling so as to cause nuisance or damage....	160
1B	14A(a)	Navigating vessel so as to endanger safety of vessel or person .....	200
2	14A(b)	Navigating vessel so as to obstruct, impede or interfere with other vessel .....	160
3	14B	Permitting person to expose portion of body to risk of injury beyond hull limits of vessel.....	60
4	15(1)	Motor boat towing more than one vessel through or under bridge.....	60

**Western Australian Marine (Infringements) Regulations 1985**  
**Schedule 1**      Modified penalties

Item	<i>Navigable Waters Regulations 1985</i>	Description of offence	Modified penalty \$
<del>5</del> <i>deleted</i>	<del>19(2)</del>	<del>Navigating vessel less than 3.75 m long more than 5 nautical miles from nearest point at low water mark on mainland shore .....</del>	<del>100</del>
6	19A	Vessel exceeding speed of 10 knots between sunset and sunrise — (a) by not more than 10 knots ..... (b) by more than 10 knots .....	160 200
7	19B	Using or setting off signal, flare, rocket or other distress signals, except in case of emergency or vessel in distress, without prior written permission of Department .....	200
8	19C(1)	Failing to exhibit on vessel required diving flag .....	100
8A	19C(3)	Failing to display required lights on vessel from which a person is diving .....	100
8B	19D(1)(a)	Failing to display a diving flag at the place where the person is diving .....	100
8C	19D(1)(b)	Failing to display required lights when diving at night otherwise than from a vessel	100
9	19E(1)	Failing to maintain distance of 50 m between vessel and place or other vessel displaying diving flag or, during the hours of darkness, the appropriate	200

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**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

Item	<i>Navigable Waters Regulations 1985</i>	Description of offence	Modified penalty \$
		signal, or failing to reduce speed of vessel to slowest navigable speed whilst passing within 50 m of that place or other vessel .....	
10A	19E(4A)	Failing to proceed at a safe speed or maintain a proper look out while in the vicinity of a place or vessel displaying a diving flag or appropriate signal, but at least 50 m clear of that place or vessel.....	200
10	42(a)	Anchoring or mooring vessel in fairway or channel when not in distress .....	60
11	42(c)	Placing cable or rope or other obstruction across fairway or channel without written permission of Department.....	100
12	43(a)	Obstructing channel or fairway with net or buoyed objects .....	120
13	45B(1)(a)	Using or having on navigable waters unregistered registrable vessel.....	160
14	45B(1)(b)	Failing to have current boat registration label properly affixed to vessel.....	80
15	45B(7)	Failing to have registrable vessel legibly marked with registration number.....	80
16	45B(8)	Registrable vessel failing to have required identification	60

**Western Australian Marine (Infringements) Regulations 1985**  
**Schedule 1**      Modified penalties

Item	<i>Navigable Waters Regulations 1958</i>	Description of offence	Modified penalty \$
		marking when proceeding north of Geraldton .....	
17	45BA(4)(c)	Use of vessel with incorrectly affixed dealer plates .....	60
18	45D(1)(a)	Failing to produce certificate of registration of vessel within specified time.	40
19	45D(1)(b)	Failing to notify Department of change of registered particulars, or of address of owner, of vessel within 15 days .....	120
20	45E(1)(a)	Failing to furnish purchaser of vessel with registration certificate.....	60
21	45E(1)(b)	Failing to notify Department of sale or disposal of registered vessel within 7 days .....	60
22	45E(2)(a)	Failing to apply for transfer of registration within 15 days of acquisition of registered vessel .....	120
23	45E(3)	Failing to notify Department of loss of registered vessel within 15 days .....	60
<del>[23A-23D deleted]</del>	<del>47AA(3)</del>	<del>Person between 10 and 16 driving an RST vessel unless under supervision (before 1 April 2007) .....</del>	<del>200</del>
<del>23B</del>	<del>47AB(3)</del>	<del>Person between 10 and 14 driving an RST vessel unless under supervision (between 1 April 2007 and 1 April 2008).....</del>	<del>200</del>

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**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

Item	<i>Navigable Waters Regulations 1985</i>	Description of offence	Modified penalty \$
<del>23C</del> 23E	<del>47AB(4)</del> 47A(3)	Person between <del>14</del> 10 and <del>16</del> 14 driving an RST vessel unless —  <del>(a) driving at not more than 8 knots and during the day time; or</del>  ..... (b) ..... under supervision (between 1 April 2007 and 1 April 2008) .....	200
<del>23D</del>	<del>47AB(5)</del> }	Person between <del>16</del> and <del>25</del> driving an RST vessel unless holding a recreational skipper's ticket or under supervision (between 1 April 2007 and 1 April 2008) .....	200
<del>23E</del>	<del>47A(3)</del>	Person between <del>10</del> and <del>14</del> driving an RST vessel unless under supervision (on and after 1 April 2008) .....	200
23F	47A(4)	Person between 14 and 16 driving an RST vessel unless —  (a) holding a recreational skipper's ticket and driving at not more than 8 knots and during the <del>day</del> <del>time</del> daytime; or  (b) under supervision <del>(on and after 1 April 2008) ....</del>	200

**Western Australian Marine (Infringements) Regulations 1985**  
**Schedule 1**      Modified penalties

Item	<i>Navigable Waters Regulations 1958</i>	Description of offence	Modified penalty \$
23G	47A(5)	Person over 16 driving an RST vessel unless holding a recreational skipper's ticket or under supervision <del>(on and after 1 April 2008)</del>	200
23H	<del>47AA</del> 4) <del>47AB(6)</del> 3) 47A(6)	Owner allowing RST vessel to be driven in contravention of regulation <del>47AA, 47AB</del> <del>or 47A</del> .....	200
23I	47H	Failing to produce recreational skipper's ticket on request.....	200
23J	47I	Holder of recreational skipper's ticket failing to notify change of details..	120
24	48(a)(i)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing in water with a depth of less than 3 m.....	160
24A	48(a)(ii)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing within 50 m of a river bank or low water mark.....	160
24B	48(b)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing in or through mooring area .....	160
24C	48(c)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing	160

**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

Item	<i>Navigable Waters Regulations 1985</i>	Description of offence	Modified penalty \$
		within 15 m of a vessel <del>under weigh</del> underway .....	
24D	48(d)(i)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing within 50 m of a moored vessel .....	160
24E	48(d)(iii)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing within 50 m of a person in the water .....	200
24F	48(d)(iv)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing within 50 m of a jetty or wharf .....	160
24G	48(e)	Driving a motor boat at a speed exceeding 8 knots or water ski-ing or para-sailing through an arch of a bridge..	160
25	48A(2)	Driving motor boat towing para-sailor or water skier in area not set aside for purpose .....	200
26	49(1)	Towing para-sailor or water skier without observer in towing speed boat .....	160
27	49(2)	Driver of or observer in speed boat towing para-sailor or water skier failing to maintain constant lookout or watch .....	120
[28	<i>deleted</i>		

**Western Australian Marine (Infringements) Regulations 1985**

**Schedule 1**      Modified penalties

<b>Item</b>	<b><i>Navigable Waters Regulations 1985</i></b>	<b>Description of offence</b>	<b>Modified penalty \$</b>
29	49C	Failing to drive speed boat at least 50 m behind water skier or other boat.....	120
30	49D	Driver of boat about to take off failing to yield right of way to speed boat landing water skier.....	60
31	49E	Trailing ski rope within 30 m of shore in water ski area.....	60
32	49G	Failing to keep speed boat towing water skier at least 30 m from shore when not engaged in landing or taking off water skier.....	60
33	49H	Driver of speed boat failing to maintain correct distance after landing water skier before retrieving tow line or thereafter driving speed boat at more than 8 knots or so as to interfere with or obstruct other boat towing water skier.....	120
34	49I	Driver of speed boat failing to maintain distance of 25 m from shore when landing water skier.....	60
35	49J	Sitting on gunwale or back of driving seat when driving speed boat.....	60
36	49K	Water skier failing to retrieve water ski.....	60
37	49M(a) or (b)	Using navigable waters for purpose of slalom course or ski-jump —	

**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

Item	<i>Navigable Waters Regulations 1985</i>	Description of offence	Modified penalty \$
		(a) without prior written permission of Department.....	100
		(b) without required marker buoys and pennants .....	60
38	<a href="#">50(1)</a>	Driving motor boat towing water skier between <del>sundown</del> sunset and <del>8 am</del> 8 am on Swan River or between <del>sundown</del> sunset and <del>9 am</del> 9 am on Canning River	200
38A	50A(2)	Freestyle driving, surfing or wave jumping in a prohibited area .....	200
38B	50A(3)	Freestyle driving, surfing or wave jumping within —	
		(a) 30 m of another personal watercraft; or	
		(b) 50 m of any other vessel or person .	200
<a href="#">38C</a>	<a href="#">50B(3) and (4) (as read with (8))</a>	<a href="#">Person over 12 years failing to wear appropriate lifejacket.....</a>	<a href="#">200</a>
<a href="#">38D</a>	<a href="#">50B(5) (as read with (8))</a>	<a href="#">Person over 12 years required to wear appropriate lifejacket failing to produce the lifejacket they are wearing to officer of Department on demand.....</a>	<a href="#">160</a>
<a href="#">38E</a>	<a href="#">50B(6) (as read with (9))</a>	<a href="#">Master or person in charge of a vessel failing to ensure that an appropriate lifejacket</a>	<a href="#">200</a>

**Western Australian Marine (Infringements) Regulations 1985**  
**Schedule 1**      Modified penalties

Item	<i>Navigable Waters Regulations 1958</i>	Description of offence	Modified penalty \$
		<u>is worn by a person on the vessel.....</u>	
<del>38C</del> 38F	50B(7) <del>(as read with (9))</del>	<del>Failing to wear an appropriate lifejacket while on a personal watercraft</del> <u>Master or person in charge of a vessel failing to produce to officer of Department on demand a lifejacket being worn by a person on board who is under 12 and required to wear an appropriate lifejacket .....</u>	<del>200</del> 60
39	51	Using motor boat not fitted with efficient silencer approved by Department ....	160
40	51A	Causing or permitting motor boat to emit smoke or vapour causing danger, nuisance or annoyance .....	160
<del>[40A, 41 deleted]</del>	<del>51D</del>	<del>Failing to fit a bilge pump ...</del>	<del>160</del>
<del>41</del> 42	<del>52</del> 52A(2)	Failing to equip <u>registrable</u> vessel <u>being navigated</u> with <del>approved fire extinguisher</del> <u>required number of lifejackets .....</u>	<del>160</del> 00
<del>42</del> 42A	52A(3)	Failing to equip <u>non-registrable</u> vessel <del>with required number of lifejackets whilst</del> being navigated outside protected waters <u>and more than 400 m from any shore with required number of lifejackets .....</u>	200
43	52B	Failing to equip vessel <del>with required number of distress</del>	160

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**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

Item	<i>Navigation Waters Regulations 1985</i>	Description of offence	Modified penalty \$
		<del>signals whilst</del> being navigated outside protected waters <u>and more than 400 m from any shore with required number of distress signals</u> .....	
43A	52BAA	Failing to equip vessel <u>being navigated more than 4 nautical miles from any shore with an approved and licensed</u> marine transceiver .....	200
43B	52BAB	Failing to equip vessel <u>being navigated outside protected waters and more than 400 m from any shore with</u> — (a) <del>an approved</del> Electronic Position-Indicating Radio Beacon ; or (b) <u>a personal locator beacon attached to a person on board the vessel</u> ..	200
44	52BA(1) (a)	Failing to maintain items of safety equipment of vessel in serviceable condition .....	160
45	52BA(1) (b)	Failing to have safety equipment of vessel readily accessible to all persons on board .....	160
46	52BA(3)	Failing to produce items of safety equipment to officer of Department on demand ..	160
<u>46A</u>	<u>52BB</u>	<u>Failing to maintain lifejacket worn on personal</u>	<u>200</u>

**Western Australian Marine (Infringements) Regulations 1985**  
**Schedule 1**      Modified penalties

Item	<i>Navigable Waters Regulations 1958</i>	Description of offence	Modified penalty \$
		<a href="#">watercraft in serviceable condition .....</a>	
<del>47</del>	<del>52C</del>	<del>Vessel not carrying efficient anchor and line whilst outside protected waters .....</del>	<del>160</del>
48	52G	Failing to display navigation lights on small motor boat as required .....	200

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Item	Western Australian Marine Act Section	Description of offence	Modified penalty \$
49	13(1)(a)	Uncertificated person acting in a position of command on a commercial vessel .....	300
50	13(1)(b)	Employing an uncertificated person in a position of command .....	300
51	13(2)	Failing to ascertain whether an employee on a commercial vessel is duly certificated .....	200
52	14	Beginning a voyage on a commercial vessel without sufficient crew, or with under qualified or inexperienced crew .....	300
53	26(3)	Being underway or plying without, or contrary to, certificate of survey .....	300
54	27	Beginning a voyage without exhibiting evidence of compliance with survey requirements .....	200
55	28	Carrying too many people on board ship .....	300
56	40(a)	Beginning a voyage without appropriate life saving appliances .....	300
57	40(b)	Allowing loss of, or damage to, life saving appliances ..	200
58	40(c)	Failing to repair or replace life saving appliances .....	200
59	40(d)	Failing to keep life saving appliances fit and ready for use .....	200
60	42(a)	Beginning a voyage without appropriate fire appliances	300
61	42(b)	Allowing loss of, or damage to, fire appliances .....	200
62	42(c)	Failing to repair or replace fire appliances .....	200



**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

Item	Western Australian Marine Act Section	Description of offence	Modified penalty \$
63	42(d)	Failing to keep fire appliances fit and ready for use .....	200
64	44(a)	Beginning a voyage without appropriate radio equipment .....	300
65	44(b)	Beginning a voyage without a qualified radio operator on board .....	200
66	48(a)	Beginning a voyage without required equipment .....	150
67	48(b)	Failing to keep required equipment in good repair .....	100
68	58(2)(a)	Failing to produce logbook or other documents .....	100
69	63(2)	Failing to take vessel to nearest port .....	100
70	63(5)	Navigating vessel in breach of order .....	150
71	64(2)	Failing to render assistance or give details after a collision .....	150
72A	64(3)	Failing to — (a) render assistance; or (b) give details to certain persons; or (c) report to the Department within 7 days, after a collision, accident or other casualty involving a pleasure vessel .....	150
72	64(4)	Failing to make immediate report of a casualty or injury on, or damage to, a commercial vessel .....	150
73	64(5)	Failing to confirm report of a casualty or injury on, or damage to, a commercial vessel .....	150
74	66(3)(a)	Obstructing an authorised person in relation to an area closed to navigation .....	200
75	66(3)(b)	Navigating a vessel in an area closed to navigation .....	200
76	67(3)	Exceeding speed limit by — (a) more than 3, but less than 5, knots .....	100
		(b) 5 or more, but less than 10, knots .....	160
		(c) 10 knots or more .....	200
77	69	Failing to batten down and secure hatches .....	100
78	70(1)	Going on board a vessel in port at night without authority .....	100
79	72(1)(a)	Being drunk or disorderly and attempting to board a passenger ship without authority .....	100

**Western Australian Marine (Infringements) Regulations 1985**  
**Schedule 1**      Modified penalties

<b>Item</b>	<b>Western Australian Marine Act Section</b>	<b>Description of offence</b>	<b>Modified penalty \$</b>
80	72(1)(b)	Being drunk or disorderly on board a passenger ship and refusing to leave when requested .....	100
81	72(1)(c)	Molesting a passenger on a passenger ship after being warned .....	100
82	72(1)(d)	Being on board a passenger ship without authority and refusing to leave when requested.....	100
83	72(1)(e)	Attempting to enter a passenger ship after entry has been refused .....	100
84	72(1)(f)	Refusing to leave a passenger ship when requested .....	100
85	72(1)(g)	Attempting to travel on a passenger ship without paying the fare .....	100
86	72(1)(h)	Attempting to travel on a passenger ship beyond the place to which the fare has been paid .....	100
87	72(1)(i)	Refusing to leave a passenger ship at place to which fare has been paid .....	100
88	72(1)(j)	On a passenger ship failing to produce ticket or pay fare when requested .....	100
89	73	Damaging equipment, or obstructing the crew, on a passenger ship .....	100
90A	79(2)	Failure of the master or person in charge of a vessel to comply with the <i>Prevention of Collisions at Sea Regulations 1983</i> .....	300
90	91(1)	Carrying dangerous goods without proper markings .....	200
91	97(1)	Carrying explosives on a passenger ship without proper protection .....	200
92	132(8)	Removing an infringement notice from a vessel.....	100
<p><b>W.A. Marine (Hire and Drive Vessels) Regulations-1 983 (provision of Uniform Code)</b></p>			
93	3.4.1	Failing to fix registration plates to hire and drive vessel .....	50
94	3.4.2	Failing to maintain markings on hire and drive vessel ..	50

**Western Australian Marine (Infringements) Regulations 1985**  
Modified penalties **Schedule 1**

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95	3.12.1	Failing to notify the CEO of repairs or alterations to hire and drive vessel .....	50
96	3.13.2	Failing to report an accident involving hire and drive vessel .....	50
97	4.2.2	Overloading a hire and drive vessel .....	100

*[Schedule-1 inserted: Gazette 9 Jun 1992 p. 2381-2; amended: Gazette 30 Jun 1992 p. 2910; 7 May 1993 p. 2361-2; 31 Dec 1993 p. 6911-2; 14 Jun 1996 p. 2607; 30 May 1997 p. 2497-9; 27 Oct 1998 p. 5965; 11 Dec 1998 p. 6652; 17 Jun 2003 p. 2221; 23 Dec 2005 p. 6278-9; 10 Feb 2006 p. 666; 26 May 2006 p. 1880; 13 Nov 2009 p. 4538; 17 Nov 2009 p. 4631-2; 4 Jan 2013 p. 9; 3 Mar 2017 p. 1490-1; SL 2021/147 r. 38; [No. 135 of 2023 r. 39.](#)]*

**Form 1**

**Schedule 2 — Forms**

[r. 4]

[Heading inserted: Gazette 9 Oct 2012 p. 4756.]

**1. Infringement notice**

**Part 1**

Western Australian Marine Act 1982, s. 132(1) <b>Infringement notice</b>		Infringement notice no.:	
		Date of service:	
<b>TO:</b> <input type="checkbox"/>	<input type="checkbox"/>	Surname/ Company name and ACN	
		Other names	
		Address	
		Date of birth	Male/Female
		<input type="checkbox"/> Tick if this notice is addressed to the above person as the owner of the vessel described below.	
	<b>or</b> <b>TO:</b> <input type="checkbox"/>	The owner of the vessel described below (whose identity is not known and cannot immediately be ascertained).	
<b>Vessel</b>	Vessel name:	Reg. no.:	Reg. expiry date:
	Vessel type:	Length (metres):	No. persons onboard:
	Construction material:		Colour:
	Engine type: <input type="checkbox"/> Inboard <input type="checkbox"/> Outboard	Engine make:	Kw/Hp:

**Western Australian Marine (Infringements) Regulations 1985**

Forms **Schedule 2**

**Form 1**

<b>Alleged offence</b>	Date		Time	
	Place			
	Legislation			
	Provision			
	Details of offence			
<b>Authorised person issuing notice</b>	Name			
	Authorised person no.			
	Signature			
<b>Modified penalty</b>	\$ _____			
<b>TAKE NOTICE</b>	<p>It is alleged that you have committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty in accordance with Part 2 of this notice within 28 days after the date of service of this notice.</p> <p>If you do not pay the modified penalty within that period, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.</p> <p>If this notice is addressed to you as the owner of the vessel described above (whether or not your identity is known), the <i>Western Australian Marine Act 1982</i> section 132(3) says, in effect, that you are, in the absence of proof to the contrary, deemed to be the person who was in charge of the vessel at the time the above alleged offence is believed to have been</p>			





**Form 2**

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**2.    Withdrawal of infringement notice**

**Part 1**

<i>Western Australian Marine Act 1982, s. 132(5)</i> <b>Withdrawal of infringement notice</b>		Withdrawal no.:	
		Date:	
<b>TO:</b>	Surname/ company name and ACN		
	Other names		
	Address		
<b>Infringement notice</b>	Infringement notice no.		
	Date of service		
<b>Vessel</b>	Vessel name:	Reg. no.:	Reg. expiry date:
	Vessel type:	Length (metres):	No. persons onboard:
	Construction material:		Colour:
	Engine type: <input type="checkbox"/> Inboard <input type="checkbox"/> Outboard	Engine make:	Kw/Hp:
<b>Alleged offence</b>	Date	Time	
	Place		
	Legislation		
	Provision		



Western Australian Marine (Infringements) Regulations 1985

Forms Schedule 2

Form 2

	Details of offence	
<b>Authorised person withdrawing notice</b>	Name	
	Authorised person no.	
	Signature	
<b>Withdrawal of infringement notice</b> <i>[*Delete whichever is not applicable]</i>	<p>The above infringement notice issued against you for the above alleged offence has been withdrawn.</p> <p>If you have already paid the modified penalty for the alleged offence, you are entitled to a refund.</p> <p>* Your refund is enclosed.</p> <p><i>or</i></p> <p>* If you have paid the modified penalty but a refund is not enclosed, you may claim your refund by completing Part 2 of this notice and sending it to the address below.</p>	

**Part 2 (detachable)**

Withdrawal no: _____	
<b>Claim for refund</b>	<p>I claim a refund for the modified penalty paid in accordance with the infringement notice that was withdrawn by this notice of withdrawal.</p> <p>_____</p> <p>(Name)</p> <p>_____ / ____ / ____</p> <p>(Signature) (Date)</p> <p><b>Detach this Part and send to:</b></p> <p><i>[Insert details of designated officer]</i></p>

*[Form 2 inserted: Gazette 9 Oct 2012 p. 4758-9.]*

**Form 3**

**3. Notice requiring identification of person in charge of vessel**

**Part 1**

<i>Western Australian Marine Act 1982, s. 133(2)</i>				Notice no:	
<b>Notice requiring identification of person in charge of vessel</b>				Date:	
<b>TO:</b>	Name				
	Address				
<b>Vessel</b>	Vessel name:		Reg. no.:	Reg. expiry date:	
	Vessel type:		Length (metres):	No. persons onboard:	
	Construction material:			Colour:	
	Engine type: <input type="checkbox"/> Inboard <input type="checkbox"/> Outboard		Engine make:	Kw/Hp:	
<b>Alleged offence</b>	Date		Time		
	Place				
	Legislation				
	Provision				
	Details of offence				

<p><b>TAKE NOTICE</b></p>	<p>You are the registered owner of the vessel described above.</p> <p>It is alleged that the offence described above was committed while the vessel described above was in charge of a person whose identity is not known and cannot immediately be ascertained.</p> <p>You, as the registered owner, are required to identify the person who was in charge of the vessel at the time when the offence described above is alleged to have been committed.</p> <p>If, within 21 days after the date of service of this notice, you do not —</p> <ul style="list-style-type: none"> <li>• inform the Department, by completing Part 2 of this notice, of the identity and address of the person who was in charge of the vessel described above at the time the offence described above is alleged to have been committed; or</li> <li>• satisfy the Department that the vessel described above had been stolen or unlawfully taken, or was being unlawfully used, at the time when the offence described above is alleged to have been committed,</li> </ul> <p>you will, in the absence of proof to the contrary, be deemed to be the person who was in charge of the vessel at the time when the offence described above is believed to have been committed.</p>	
<p><b>Authorised person issuing notice</b></p>	<p>Name</p>	
	<p>Authorised person no.</p>	
	<p>Signature</p>	

Form 3

Part 2 (detachable)

Notice no. _____	
<b>Identity of person in charge of vessel</b>	I, _____ <i>(Name)</i>
	am the registered owner of the vessel described in this notice. At the time the offence described in this notice is alleged to have been committed, the following person was in charge of the vessel.
	Name _____
	Address _____
	_____ <i>(Signature of registered owner)</i> ____/____/____ <i>(Date)</i>
<b>Detach this section and send to:</b> <i>[Insert details]</i>	
Refer to infringement notice no. _____	

[Form 3 inserted: Gazette 9 Oct 2012 p. 4759-61.]

4. Certificate as to authorised person other than inspector

<p><b>Certificate as to authorised person other than inspector</b> <i>Western Australian Marine Act 1982, s. 134(1)</i> TO WHOM IT MAY CONCERN</p> <p>_____</p> <p><i>(Name)</i></p> <p>not being an inspector, is an authorised person for the purposes of the <i>Western Australian Marine Act 1982</i> sections 132 and 133.</p> <p>_____</p> <p>Chief Executive Officer</p> <p>_____</p> <p><i>(Signature of authorised person)</i></p> <p>Appointment no. _____</p>
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[Form 4 inserted: Gazette 9 Oct 2012 p. 4761.]

## Western Australian Marine (Infringements) Regulations 1985

Notes                      Compilation table

### Notes

This is a compilation of the *Western Australian Marine (Infringements) Regulations 1985* 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. ~~For provisions that have not yet come into operation see the uncommenced provisions table.~~

### Compilation table

Citation	Published	Commencement
<i>Western Australian Marine (Infringements) Regulations 1985</i>	4 Oct 1985 p. 3866-70	4 Jan 1986 (see r. 2)
<i>Western Australian Marine (Infringements) Regulations 1986</i>	24 Apr 1986 p. 1480-1	24 Apr 1986
<i>Western Australian Marine (Infringements) Regulations (No. 2) 1986</i>	20 Jun 1986 p. 2057	20 Jun 1986
<i>Western Australian Marine (Infringements) Amendment Regulations 1991</i>	26 Jul 1991 p. 3934-6	26 Jul 1991
<i>Western Australian Marine (Infringements) Amendment Regulations 1992</i>	9 Jun 1992 p. 2380-2	1 Jul 1992 (see r. 2)
<i>Western Australian Marine (Infringements) Amendment Regulations (No. 2) 1992</i>	30 Jun 1992 p. 2910	1 Jul 1992 (see r. 2)
<i>W.A. Marine Amendment Regulations 1992 Pt. 7</i>	11 Aug 1992 p. 3976-80	11 Aug 1992
<i>Western Australian Marine (Infringements) Amendment Regulations 1993</i>	7 May 1993 p. 2361-2	7 May 1993
<i>Western Australian Marine (Infringements) Amendment Regulations (No. 2) 1993</i>	31 Dec 1993 p. 6911-12	1 Mar 1994 (see r. 2)
<i>Western Australian Marine (Infringements) Amendment Regulations 1996</i>	14 Jun 1996 p. 2607	14 Jun 1996
<i>Western Australian Marine (Infringements) Amendment Regulations 1997</i>	30 May 1997 p. 2497-9	30 May 1997

**Western Australian Marine (Infringements) Regulations 1985**

Compilation table

**Notes**

<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Western Australian Marine (Infringements) Amendment Regulations-1998</i>	27 Oct 1998 p. 5964-5	27 Oct 1998
<i>Western Australian Marine (Infringements) Amendment Regulations (No. 2) 1998</i>	11 Dec 1998 p. 6651-2	11 Dec 1998 (see r. 2)
<b>Reprint of the Western Australian Marine (Infringements) Regulations-1985 as at 27 Aug-1999</b> (includes amendments listed above)		
<i>Western Australian Marine (Infringements) Amendment Regulations-2003</i>	17 Jun 2003 p. 2220-1	1 Jul 2003 (see r. 2)
<i>Western Australian Marine (Infringements) Amendment Regulations (No. 3) 2005</i>	23 Dec 2005 p. 6278-9	23 Dec 2005
<i>Western Australian Marine (Infringements) Amendment Regulations 2005</i>	10 Feb 2006 p. 665-6	10 Feb 2006 (see r. 2 and Gazette 10 Feb 2006 p. 667)
<i>Western Australian Marine (Infringements) Amendment Regulations 2006</i>	26 May 2006 p. 1880	26 May 2006
<b>Reprint 2: The Western Australian Marine (Infringements) Regulations-1985 as at 13 Feb-2009</b> (includes amendments listed above)		
<i>Western Australian Marine (Infringements) Amendment Regulations (No. 2) 2009</i>	13 Nov 2009 p. 4537-8	r. 1 and 2: 13 Nov 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 14-Nov 2009 (see r. 2(b))
<i>Western Australian Marine (Infringements) Amendment Regulations 2009</i>	17 Nov 2009 p. 4631-2	r. 1 and 2: 17 Nov 2009 (see r. 2(a)); Regulations other than r. 1 and 2: 18-Nov 2009 (see r. 2(b))
<i>Western Australian Marine (Infringements) Amendment Regulations-2012</i>	9 Oct 2012 p. 4755-61	r. 1 and 2: 9-Oct-2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Nov 2012 (see r. 2(b))
<i>Western Australian Marine (Infringements) Amendment Regulations (No. 2) 2012</i>	4 Jan 2013 p. 9	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))

## Western Australian Marine (Infringements) Regulations 1985

### Notes Uncommenced provisions table

Citation	Published	Commencement
<i>Western Australian Marine (Infringements) Amendment Regulations-2013</i>	20 Aug-2013 p. 3849	r. 1 and 2: 20-Aug-2013 (see r. 2(a)); Regulations other than r. 1 and 2: 21-Aug-2013 (see r. 2(b) and <i>Gazette</i> 20 Aug-2013 p. 3815)
<b>Reprint 3: The Western Australian Marine (Infringements) Regulations-1985 as at 6 Dec 2013</b> (includes amendments listed above)		
<i>Transport Regulations Amendment (Lifejackets) Regulations 2017 Pt. 3</i>	3 Mar-2017 p. 1484-91	4 Mar 2017 (see r. 2(b))
<i>Transport Regulations Amendment (Infringement Notices) Regulations 2020 Pt. 5</i>	SL 2020/172 25 Sep 2020	29 Sep 2020 (see r. 2(b) and SL 2020/159 cl. 2(a))
<i>Transport Regulations Amendment (Mooring Management) Regulations 2021 Pt. 4</i>	SL 2021/147 13 Aug 2021	28 Sep 2021 (see r. 2(b))

### Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made on the WA Legislation website*.

Citation	Published	Commencement
<i>Transport Regulations Amendment (Marine Safety Equipment) Regulations 2023 Pt. 3</i>	SL 2023/135 9 Aug 2023	1 Sep 2023 (see r. 2(b))

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