

MH302

WESTERN AUSTRALIAN MARINE ACT 1982  
WESTERN AUSTRALIAN MARINE (INFRINGEMENTS)  
AMENDMENT REGULATIONS 1992

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Western Australian Marine (Infringements) Amendment Regulations 1992*.

**Commencement**

2. These regulations shall come into operation on 1 July 1992.

## Schedule 1 substituted

3. Schedule 1 of the *Western Australian Marine (Infringements) Regulations 1985\** is repealed and the following Schedule is substituted —

## SCHEDULE 1

## MODIFIED PENALTIES

Item	Navigable Waters Regulation	Description of offence	Modified Penalty \$ Proposed
1	14A(a)	Navigating vessel so as to endanger safety of vessel or person . . .	100
2	14A(b)	Navigating vessel so as to obstruct, impede or interfere with other vessel . . . . .	80
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
5	19(2)	Navigating vessel less than 3.75 metres long more than 5 nautical miles from nearest point at low water mark on mainland shore . . . . .	100
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 . . . . .	80 100
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 . . . . .	100
8	19C	Failing to exhibit on vessel required diving flag . . . . .	100
9	19E	Failing to maintain distance of 50 metres between vessel and buoy or other vessel displaying diving flag or failing to reduce speed of vessel to slowest navigable speed whilst passing within 50 metres of buoy or other vessel . . . . .	100
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 . . . .	60
13	45B(1)(a)	Using or having on navigable waters unregistered registrable vessel . . . . .	100
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 marking when proceeding north of Geraldton . . . . .	60
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 . . .	60
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 . . . . .	60
23	45E(3)	Failing to notify Department of loss of registered vessel within 15 days . . . . .	60
24	48(b),(c) or (d)	Driving motor boat at speed exceeding 8 knots - (a) in or through mooring area . . . . . (b) within 15 metres of vessel under weigh . . . . . (c) within 45 metres of - (i) moored vessel . . . . . (ii) person in water . . . . . (iii) jetty or wharf . . . . .	80 80 80 100 80
25	48A(2)	Driving motor boat towing water skier in area not set aside for purpose . . . . .	100
26	49(1)	Towing water skier without observer in towing speed boat . . . .	80
27	49(2)	Driver of or observer in speed boat towing water skier failing to maintain constant lookout or watch . . . . .	60
28	49A(1)(b)	Owner or person in control of speed boat allowing person under 17 to drive or operate speed boat . . . . .	100
29	49C	Failing to drive speed boat at least 45 metres behind water skier or other boat . . . . .	60
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 metres of shore in water ski area . .	60
32	49G	Failing to keep speed boat towing water skier at least 30 metres from shore when not engaged in landing or taking off water skier . . . . .	60

Item	Navigable Waters Regulation	Description of offence	Modified Penalty \$ Proposed
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 . . . . .	60
34	49I	Driver of speed boat failing to maintain distance of 25 metres 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(1)(a) or (b)	Using navigable waters for purpose of slalom course or ski-jump — (a) without prior written permission of Department (b) without required marker buoys and pennants . .	100 60
38	50	Driving motor boat towing water skier between sundown and 8 a.m. on Swan River or between sundown and 9 a.m. on Canning River . . . . .	100
39	51	Using motor boat not fitted with efficient silencer approved by Department . . . . .	80
40	51A	Causing or permitting motor boat to emit smoke or vapour causing danger, nuisance or annoyance . . . . .	80
41	52	Failing to equip motor boat with approved fire extinguisher . .	80
42	52A	Failing to equip vessel with required number of approved life jackets whilst being navigated outside protected waters . . . . .	100
43	52B	Failing to equip vessel with required number of distress signals whilst being navigated outside protected waters . . . . .	80
44	52BA(1)(a)	Failing to maintain items of safety equipment of vessel in serviceable condition . . . . .	80
45	52BA(1)(b)	Failing to have safety equipment of vessel readily accessible to all persons on board . . . . .	80
46	52BA(3)	Failing to produce items of safety equipment to officer of Department on demand . . . . .	80
47	52C	Vessel not carrying efficient anchor and line whilst outside protected waters . . . . .	80
48	52G	Failing to display navigation lights on small motor boat as required . . . . .	100
Western Australian Marine Act Section			
49	67	Exceeding S/limit by more than 3 knots but less than 5. 5 knots but less than 10 knots By more than 10 knots.	50 80 100

[\* Published in the Gazette of 4 October 1985 at pp. 3866-3870.  
For amendments to 2 April 1992 see 1990 Index to Legislation of Western Australia, p. 414.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.