

MARINE NAVIGATIONAL AIDS.

No. 27 of 1973.

**AN ACT relating to the establishment, maintenance
and use of marine navigational aids.**

[Assented to 6th June, 1973.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Marine Navigational Aids Act, 1973.* Short title.

2. In this Act—

“Department” means the Harbour and Light
Department of the State;

Interpreta-
tion.

“marine navigational aid” means a lighthouse, light ship, port light, buoy, beacon, signal, or other structure, mark, device or apparatus that is or is intended to be an aid to marine navigation, and includes a radio beacon or an electronic aid;

“Port Authority” means the body established under an Act of the Parliament of the State as the Port Authority in relation to a port or the approaches to that port.

Marine
navigational
aids.

3. (1) The Department, and a Port Authority in relation to the port under its control and the approaches thereto,—

- (a) may establish any navigational aid;
- (b) may add to, alter or remove any such aid;
- (c) may alter the character of any such aid; and
- (d) shall maintain every such aid under its control.

(2) Any navigational aid established by the Department or a Port Authority before the commencement of this Act shall be deemed to have been established under this Act.

Protection
from
actions.

4. No civil action, claim or demand lies, or shall be commenced or allowed, by or in favour of any person against—

- (a) the State,
- (b) the Minister or the Department,
- (c) a Port Authority,
- (d) any officer of the Department or a Port Authority or other person acting in good faith for the purposes of this Act,

by reason of any act, matter or thing done or omitted to be done in good faith, but whether negligently or otherwise, in relation to, or by reason of any defect in, a marine navigational aid established or deemed to have been established and maintained under this Act.

5. (1) A person who wilfully or negligently does anything which interferes with the operation of, or the use by a person of, a marine navigational aid established or deemed to have been established under this Act so as to hinder the effective operation, or use, of the aid commits an offence.

Penalty: Two hundred dollars.

(2) In addition to the penalty, a person convicted of an offence against subsection (1) of this section may be ordered to pay the amount of the damage to the navigational aid caused by the commission of the offence, or the cost of repairing, replacing or reinstating the aid.
