

South Australia

# Cape Jaffa Lighthouse Platform (Civil Liability) Act 2005

An Act to protect the owner of the Cape Jaffa lighthouse platform from civil liability.

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## The Parliament of South Australia enacts as follows:

### 1—Short title

This Act may be cited as the *Cape Jaffa Lighthouse Platform (Civil Liability) Act 2005*.

### 2—Interpretation

In this Act—

***Cape Jaffa lighthouse platform*** means the platform and jetty on Margaret Brock Reef position latitude 36° 57' 08"S, longitude 139° 35' 45"E;

***State or local authority*** means—

- (a) a Minister, agency or instrumentality of the Crown; or
- (b) a council or other body vested with powers of local government.

### 3—Protection from civil liability for owner of Cape Jaffa lighthouse platform

- (1) If the Cape Jaffa lighthouse platform is vested in a State or local authority, the authority incurs no civil liability for injury, loss or damage related to the platform.
- (2) Injury, loss or damage is related to the platform if it is attributable to—
  - (a) the defective state or condition of the platform; or
  - (b) a failure to warn against risks associated with the platform or its use; or
  - (c) any other failure to take precautions against risks associated with the platform or its use.