

SOUTH AUSTRALIA

BOATING (HIRE AND DRIVE) REGULATIONS 1991

SUMMARY OF PROVISIONS

PART I PRELIMINARY

Section

1. Citation
2. Commencement
3. Interpretation

PART II BOATS TO WHICH PART IIIA OF THE ACT APPLIES

4. Prescribed class of boats

PART III PRESCRIBED REQUIREMENTS AS TO DESIGN, CONSTRUCTION AND SAFETY

5. Prescribed requirements
6. Requirements as to length, size and speed
7. Requirements as to construction
8. Requirements as to engineering
9. Requirements as to accommodation
10. Requirements as to stability, etc.
11. Requirements as to equipment

PART IV INSPECTIONS

12. Application for fixing place and date of inspection
13. Fees and other costs to be borne by owners
14. Certificate of inspection

PART V GENERAL OBLIGATIONS OF OWNERS AND HIRERS

DIVISION I—OBLIGATIONS OF OWNER

15. Licence and certificates of inspection to be displayed
16. Register books
17. Number of passengers not to be exceeded
18. Possession of boat not to be handed over in certain circumstances
19. Owner must give information and instructions to hirers

DIVISION II—OBLIGATIONS OF HIRER

20. Hirer not to permit the carrying of excess passengers
21. Use of hire and drive boat
22. Radio contact

PART VI MISCELLANEOUS

23. Exemptions from s. 23b
24. Duties of licence holder
25. Duty to report accidents, etc.
26. Fees

SCHEDULE

**APPENDIX 1
LEGISLATIVE HISTORY**

**APPENDIX 2
DIVISIONAL PENALTIES AND EXPIATION FEES**

REGULATIONS UNDER THE BOATING ACT 1974

Boating (Hire and Drive) Regulations 1991

being

No. 205 of 1991: *Gaz.* 26 September 1991, p. 939¹

as varied by

No. 249 of 1991: *Gaz.* 12 December 1991, p. 1869

No. 44 of 1992: *Gaz.* 30 April 1992, p. 1283

¹ Came into operation 1 October 1992: reg. 2.

2.

PART I

PRELIMINARY

Citation

1. These regulations may be cited as the *Boating (Hire and Drive) Regulations 1991*.

Commencement

2. These regulations will come into operation on 1 October 1992.

Interpretation

3. In these regulations, unless the contrary intention appears—

"the Act" means the *Boating Act 1974*:

"certificate of inspection", in relation to a boat, means the certificate issued by the Director certifying as to inspection and compliance with prescribed requirements:

"classification society" means any of the following organizations:

American Bureau of Shipping
Bureau Veritas
Det Norske Veritas
Germanischer Lloyd
Lloyd's Register of Shipping
Nippon Kaiji Kyo Kai:

"the Code" means the *Uniform Shipping Laws Code* published by the Australian Transport Advisory Council as in force from time to time:

"hire and drive" in relation to a boat, means a boat that is, or is to be, hired out pursuant to a licence under Part IIIA of the Act:

"hirer" means a person who takes a hire and drive boat on hire:

"houseboat" means a boat all the living facilities of which are on or above the deck of the boat:

"length" of a boat means the length of the boat as measured in accordance with *schedule 1* of these regulations:

"motor boat" means motor boat as defined in the Act, but does not include a houseboat:

"owner", in relation to a boat, means the person hiring out the boat pursuant to a licence under Part IIIA of the Act:

"surveyor" means a person appointed under the *Marine Act 1936* as a surveyor:

3.

"yacht" means a boat that—

(a) is designed primarily to be operated under sail;

(b) is fully decked;

and

(c) has a self-draining cockpit.

Note: For definition of divisional penalties (and divisional expiation fees) see Appendix 2.

4.

PART II

BOATS TO WHICH PART IIIA OF THE ACT APPLIES

Prescribed class of boats

4. The class of boats to which section 23a of the Act applies is as follows:

A yacht, motor boat or houseboat—

(a) that has facilities for overnight accommodation;

and

(b) that is to be operated by the hirer.

5.

PART III

PRESCRIBED REQUIREMENTS AS TO DESIGN, CONSTRUCTION AND SAFETY

Prescribed requirements

5. The requirements as to design, construction and safety with which boats hired out, or to be hired out, pursuant to a licence under Part IIIA of the Act must comply are the requirements set out in the following provisions of this Part.

Requirements as to length, size and speed

6. (1) A hire and drive yacht or motor boat must not exceed 15 metres in length.

(2) Subject to subregulation (3), a hire and drive houseboat must not—

(a) exceed 20 metres in length;

(b) be a boat that is permitted (under its certificate of inspection) to carry more than 12 persons while underway;

or

(c) have a potential speed of more than 10 knots.

(3) A houseboat that was, immediately prior to the commencement of these regulations, available for hiring out by its owner in the course of carrying on a business of hiring out boats for operation by hirers, may exceed 20 metres in length.

Requirements as to construction

7. (1) Subject to subregulation (2), a hire and drive boat must, as to its construction, comply with any one of the following:

(a) section 5 of the Code as it applies in relation to Class 2 vessels, as modified by *schedule 2* of these regulations;

(b) the requirements of a classification society, as evidenced by a certificate issued by the society in respect of the boat, if those requirements expressly relate to hire and drive boats operating within geographical limits similar to those within which the boat is permitted to operate;

(c) the requirements of Australian Standard No. 1799.4-1985, if the boat—

(i) is a motor boat or yacht that is less than 7.5 metres in length;

and

(ii) is permitted to operate in sheltered waters only.

(2) A hire and drive houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington must, as to its construction, comply with *schedule 3* of these regulations.

Requirements as to engineering

8. (1) A hire and drive boat—

(a) must, as to its engineering (other than machinery), comply with section 9 of the Code;

and

(b) must, as to its machinery, comply—

(i) with section 9 of the Code;

or

(ii) with the requirements of a classification society, as evidenced by a certificate issued by the society in respect of the boat, if those requirements expressly relate to hire and drive boats operating within geographical limits similar to those within which the boat is permitted to operate.

(2) A hire and drive boat must comply with section 18 (Appendix A) of the Code with respect to refuelling instructions.

Requirements as to accommodation

9. (1) Subject to subregulation (2), a hire and drive boat must, as to its accommodation facilities, comply with subsection 5.1.2.1 to 5.1.2.4 of section 18 of the Code.

(2) The relaxations specified in subsection 5.4.1(g) of section 18 of the Code apply in relation to a hire and drive yacht that is less than 7.5 metres in length.

Requirements as to stability, etc.

10. (1) A hire and drive boat must, as to its stability, comply—

(a) in the case of a motor boat—with subsection C.4 of section 8 of the Code;

(b) in the case of a yacht that is permitted to operate in sheltered waters only—

(i) with subsection 5.4.1(h) of section 18 of the Code;

or

(ii) with the criteria fixed in relation to such yachts by the Australian Yachting Federation, as in force from time to time;

(c) in the case of any other yacht—with subsection C.12 of section 8 of the Code;

(d) in the case of a houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington—with *schedule 3* of these regulations;

(e) in the case of any other houseboat—with subsection C.4 of section 8 of the Code.

7.

(2) A hire and drive houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington must, as to its buoyancy and freeboard subdivision, comply with the requirements of *schedule 3* of these regulations.

Requirements as to equipment

11. (1) A hire and drive boat must carry on it the lifesaving appliances specified—

- (a) in the case of a houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington—by *schedule 3* of these regulations;
- (b) in any other case—by *schedule 4* of these regulations,

and all such lifesaving appliances must comply with section 10 (Part IV) of the Code.

(2) A hire and drive boat must carry on it the fire appliances specified—

- (a) in the case of a houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington—by *schedule 3* of these regulations;
- (b) in any other case—by *schedule 5* of these regulations.

3. A hire and drive boat must be fitted with radio equipment as follows:

- (a) in the case of a houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington—radio equipment that is capable of communication with a person onshore;
- (b) in any other case—radio equipment that is capable of communicating at all times, while the boat is being operated, with an onshore base station manned by or on behalf of the owner of the boat.

(4) A hire and drive boat must carry on it such other equipment as is specified—

- (a) in the case of a houseboat that is permitted to operate only on the River Murray upstream of the town of Wellington—by *schedule 3* of these regulations;
- (b) in any other case—by *schedule 6* of these regulations.

PART IV

INSPECTIONS

Application for fixing place and date of inspection

12. (1) Where a hire and drive boat is to be inspected pursuant to the Act, the owner of the boat must apply to the Director for a place and date to be fixed for the inspection.

(2) An application under this subregulation—

(a) must be in writing;

and

(b) must nominate the day on which and the place at which the owner will make the boat available for inspection, the nominated day being not less than seven days from the date of the application.

Fees and other costs to be borne by owners

13. (1) The fees specified in *schedule 7* of these regulations are payable by the owner of a hire and drive boat in relation to its inspection.

(2) The owner of a hire and drive boat is liable for—

(a) the cost of tests carried out by a third party on any material, machinery or equipment pursuant to the direction of a surveyor given during the course of inspecting the boat;

(b) the travel, accommodation and meal expenses (at the rates applicable in the Public Service) incurred by a surveyor—

(i) where the surveyor attended at the place and time fixed for the inspection of the boat but the boat was not made available and the owner did not give five or more days' notice to the surveyor that the boat would not be available;

or

(ii) where the time or place nominated by the owner and fixed for the inspection of the boat falls outside the programme fixed by the Director for carrying out boat inspections under the Act and the *Marine Act 1936*.

(3) A certificate as to the inspection of a hire and drive boat and its compliance with these regulations will not be issued until all fees and costs for which the owner of the boat is liable have been paid to the Director.

Certificate of inspection

14. A certificate of inspection issued by the Director in relation to a hire and drive boat must—

(a) state the maximum number of persons that the boat is permitted to carry while underway;

and

(b) define the geographical limits of the waters within which the boat is permitted to operate.

PART V

GENERAL OBLIGATIONS OF OWNERS AND HIRERS

DIVISION I—OBLIGATIONS OF OWNER

Licence and certificates of inspection to be displayed

15. The owner of hire and drive boats must—

- (a) display his or her licence under Part IIIA of the Act in a prominent place at the premises from which the boats are hired out;
- (b) keep on those premises the certificates of inspection relating to all boats operated pursuant to the licence;

and

- (c) display in a prominent position on each boat a copy of the certificate of inspection relating to the boat.

Register books

16. (1) The owner of a hire and drive boat must maintain a register book in respect of that boat in which are recorded the following particulars relating to each contract under which the boat is hired out on a hire and drive basis:

- (a) the name, address and specimen signature of the hirer;
- (b) the period of the hiring;
- (c) the day on which and the time at which the boat is taken by the hirer;
- (d) the day on which and the time at which the boat is returned by the hirer;
- (e) the maximum number of persons (including the hirer) stated by the hirer as the number that will be carried on the boat while it is underway;

and

- (f) the details of the hirer's licence to operate the boat.

Penalty: Division 10 fine.

(2) The owner of a hire and drive boat must not hire out the boat to a person until the person has supplied the particulars required by subregulation (1)(a), (e) and (f) and given his or her specimen signature.

Penalty: Division 10 fine.

(3) The owner of a hire and drive boat must, when requested to do so, produce a register book for inspection by the Director or a person authorized by the Director for the purpose.

Penalty: Division 10 fine.

Number of passengers not to be exceeded

17. The owner of a hire and drive boat must not—

(a) hire out the boat if the number of persons stated by the proposed hirer as the number that will be carried exceeds the maximum number of persons that the boat is permitted to carry while it is underway;

or

(b) hand over possession of the boat if more persons are to be carried on the boat than the maximum number that the boat is permitted to carry while it is underway.

Penalty: Division 10 fine.

Possession of boat not to be handed over in certain circumstances

18. The owner of a hire and drive boat must not hand over possession of the boat to a hirer—

(a) unless the hirer has a licence to operate the boat;

(b) unless a map of the geographical limits of the waters within which the boat is permitted to operate is prominently displayed on the boat;

or

(c) if the boat is carrying, or the hirer has taken on board, any thing that is prohibited by these regulations or any other Act from being carried on board.

Penalty: Division 10 fine.

Owner must give information and instructions to hirers

19. (1) The owner of a hire and drive boat must, before handing over possession of the boat to a hirer—

(a) give practical instruction to the hirer in getting the boat underway and handling it while it is underway;

(b) give the hirer clear and concise instructions on—

(i) the geographical limits of the waters within which the boat is permitted to operate;

(ii) the correct techniques of handling the boat and of navigation;

(iii) the correct way of operating machinery and fuel, gas and pumping systems on the boat and any valves or other openings in the hull;

12.

- (iv) the location and correct use of lifesaving and fire appliances on the boat;
- (v) the correct way of operating the radio equipment on the boat and, where the owner has a manned onshore base station, the times at which the hirer must make radio contact with that station;

and

- (vi) the maximum number of persons that can safely be on the boat while it is moored;

and

- (c) give the hirer the most up-to-date weather forecasts available from the Bureau of Meteorology for the area in which the boat is to be operated.

Penalty: Division 10 fine.

(2) The owner may require the hirer to sign a statement to the effect that the owner has complied with the requirements of subregulation (1) and, if such a requirement is made, the owner is entitled to refrain from handing over possession of the boat until the hirer has complied with the requirement.

DIVISION II—OBLIGATIONS OF HIRER

Hirer not to permit the carrying of excess passengers

20. The hirer of a hire and drive boat must not cause, suffer or permit more persons to be carried on the boat while it is underway than the maximum number of persons that the boat is permitted to carry while underway.

Penalty: Division 10 fine.

Use of hire and drive boat

21. The hirer of a hire and drive boat must not cause, suffer or permit—

- (a) the boat to go outside the geographical limits within which the boat is permitted to be operated;
 - (b) the boat, or any equipment supplied with the boat, to be improperly handled or used;
- or
- (c) fuel to be carried on the boat otherwise than in the boat's fuel tanks.

Penalty: Division 10 fine.

Radio contact

22. The hirer of a hire and drive boat (other than a houseboat that is operated on the River Murray upstream of the town of Wellington) must not, without reasonable excuse, fail to make radio contact with the onshore base station in accordance with the instructions given to the hirer by the owner.

Penalty: Division 10 fine.

PART VI

MISCELLANEOUS

Exemptions from s. 23b

23. The Minister may, subject to such conditions as the Minister thinks fit, exempt a hire and drive boat that does not comply with the prescribed requirements as to design, construction or safety from the operation of section 23b(4)(b) of the Act if the Minister is of the opinion—

(a) that it would, in the circumstances, be unreasonable to require the owner to take the action necessary to ensure compliance with the prescribed requirements;

and

(b) that, notwithstanding the non-compliance, the operation of the boat would not present a risk to the safety of any person.

Duties of licence holder

24. The holder of a licence under Part IIIA of the Act—

(a) must, no later than seven days after the event, give written notice to the Director of—

(i) any change in the licence holder's business address;

or

(ii) the transfer of ownership of a boat operated pursuant to the licence and the name and address of the new owner;

and

(b) must give written notice to the Director of the loss, theft, destruction or defacement of the licence or the certificate of inspection relating to any boat operated pursuant to the licence.

Penalty: Division 10 fine.

Duty to report accidents, etc.

25. The owner of a hire and drive boat must, no later than 24 hours after the event, give written particulars to the Director of—

(a) the loss, theft, abandonment or grounding of, or substantial damage to, the boat;

or

(b) the death of or injury to any person while on the boat apparently arising out of the use of the boat or any equipment supplied with the boat.

Penalty: Division 10 fine.

Fees

26. The fees prescribed in *schedule 7* are payable to the Director in respect of the matters described in that schedule.

SCHEDULE 1

Measurement of length of boat

1. (1) The length of a boat (other than a houseboat constructed of pontoons) is—

(a) the distance from the fore part of the hull to the after part of the hull, taken at—

(i) in the case of an open boat—the height of the gunwale;

(ii) in any other case—at the upper side of the uppermost weather-tight deck;

or

(b) 96 per cent of the distance between a vertical line passing through a point at the foremost part of the hull and a vertical line passing through a point at the aftermost part of the hull,

whichever is the greater.

(2) The length of a houseboat constructed of pontoons is the distance along the deck between the foremost transverse deck beam and the aftermost transverse deck beam.

2. For the purposes of clause 1—

"fore part of the hull" means the leading edge of the shell plating, planking or other structural material or, in the case of bar stems or stem posts, the intersection of the outside of the shell plating or planking with the stem bar or post but excluding, in all cases, any member added to the exterior of the hull (e.g. a fender, sponson, rubbing strip, etc.):

"after part of the hull" means the trailing edge of the shell plating, planking or other structural material or, in the case of stem bars or posts, the intersection of the outside of the shell plating or planking with the stern bar or post but excluding, in all cases, any member added to the exterior of the hull (e.g. a fender, sponson, rubbing strip, etc.):

"height of the gunwale" means the top edge of the fore and after member that is fitted around the inside of the boat at the top of the side shell plating, planking or other structural material.

17.

SCHEDULE 2

Modifications of Code

Section 5 of the Code is to be read as if—

- (a) clause A.2 of Subsection A were struck out;
- (b) subclause B.1.2 of Subsection B were struck out.

SCHEDULE 3

*Prescribed requirements for houseboats permitted to operate only on the
River Murray upstream of the town of Wellington*

DIVISION I—CONSTRUCTION

Mono-hulls

1. A houseboat with a mono-hull must, as to the construction of the mono-hull, comply with section 5 of the Code as it applies in relation to Class 2 vessels.

Pontoons

2. (1) A pontoon must be constructed of steel, marine grade aluminium alloy, or glass reinforced plastic.

(2) A pontoon must be of adequate strength to support the fixed house that it is designed for and must be suitably stiffened in both the transverse and longitudinal directions.

(3) A pontoon must be subdivided into transverse bulkheads of watertight construction spaced not more than 1.2 metres apart.

(4) A collision bulkhead must be fitted near the fore end of each pontoon not more than 1.2 metres from the fore end measured on the designed waterline.

(5) A transverse bulkhead must be suitably stiffened.

(6) Each pontoon must be provided with brackets or any other effective arrangement for attaching the deck structure supporting the fixed house.

(7) All compartments in a pontoon are to be air tested to a pressure of 3.5 KPa to ensure that all external joints and bulkheads are watertight, and the test must be evidenced by a test record sheet that gives full details of the test, signed by the person carrying out the tests on behalf of the pontoon manufacturer.

Decks

3. (1) The deck of a houseboat that has a mono-hull must be of sufficient strength to permit the fixed house to be adequately fitted to it.

(2) The deck of a houseboat that is constructed of pontoons must be constructed of timber or metal beams of sufficient strength to take the static and wind loads of the fixed house.

(3) Where the spacing of transverse beams exceeds 600 mm between centres, the size of the beam must be correspondingly increased.

(4) Cross bracing for the deck beams must be provided.

Fixed house

4. (1) The side frames, internal frames and house top beams must be constructed of timber or metal and of a size to meet standard house specifications.

(2) The floor of the house must be constructed of water resistant particle board or marine grade plywood effectively fastened to the deck beams.

(3) The deck beam/side frame or internal frame connection must be welded or through bolted and be weather-tight where it abuts the floor.

(4) Weather-tight external cladding must be fitted on the sides and ends of the house and the internal linings and ceilings must be of low flame spread materials.

(5) Floors of toilet and wash places must be covered with ceramic tiles or equivalent waterproof materials.

(6) Windows, glass doors and wooden doors must meet house construction standards.

Visibility

5. A houseboat must be constructed so as to allow the greatest possible visibility for the person operating the boat.

Freeboard

6. (1) When the houseboat is fully loaded the height of the top of the deck above water level at the lowest point must be—

- (a) for a houseboat that is 6 metres or less in length—not less than 400 mm;
- (b) for a houseboat that is 20 metres or more in length—not less than 600 mm;
- (c) for a houseboat that is more than 6 metres but less than 20 metres in length—not less than a distance determined by interpolation.

(2) Where a houseboat is constructed of pontoons, the freeboard required by subclause (1) must be such that allows the pontoons to have a reserve buoyancy of at least 25 per cent of the total volume of the pontoons.

Sub-division and buoyancy

7. The hull of a houseboat (whether a mono-hull or constructed of pontoons) must—

- (a) be sub-divided into watertight compartments so arranged as to provide an adequate reserve of buoyancy with any one compartment flooded;

or

- (b) be filled with 1 cubic metre of approved foam buoyancy per 800 kg of flooded mass.

Stability

8. (1) A houseboat must comply with the following elementary stability test:

When a number of persons equal to the maximum number that the boat is permitted to carry while underway are placed on one side of the uppermost deck at its extreme breadth from the centreline of the hull—

- (a) the angle of heel must not exceed seven degrees from the upright;

and

- (b) the freeboard of the hull on the heeled or immersed side, measured from the inclined waterline to the intersection of the edge of the main deck line and sheerline of the main hull at its lowest point, must not be less than 25 per cent of the freeboard in the upright condition when fully loaded.

DIVISION II—EQUIPMENT

Lifesaving appliances

1. One 750 mm lifebuoy painted in a highly visible colour with not less than 30 metres of line attached.

2. A number of coastal lifejackets equal to the maximum number of persons that the boat is permitted to carry while underway.

Fire appliances

3. One 1.5 kilogram dry chemical powder fire extinguisher.
4. One 4.5 kilogram dry chemical powder fire extinguisher or a 9 litre foam extinguisher.
5. Two buckets each of not less than 9 litre capacity and fitted with a lanyard of not less than 2 metres.

Miscellaneous equipment

6. A sound signalling device, being a power-operated (by electricity or otherwise) horn, whistle, siren or klaxon.

7. An electric signalling torch.

8. A bilge pump with a capacity of not less than 90 litres per minute (this need not be provided if the houseboat has pontoon hulls with one compartment subdivision).

9. One anchor and anchor line fitted with a chain pendant, of the following dimensions:

Anchor—mass of at least 20 kg

Anchor line—3 metres of 8 mm short link chain plus 50 metres of 16 mm polypropylene rope.

10. A first aid kit of a common proprietary brand including at least the following items:

Adhesive Plaster

Antiseptic Cream

Antiseptic Solution

Aspirin

Bandages

Calamine Lotion

Cotton Wool

Crepe Pressure Bandage

Dressings

Finger Stall

First Aid Pamphlet

Gauze

Safety Pins

Scissors

Splinter Forceps

Splinter Probe

Sunburn Cream

SCHEDULE 4

*Life saving appliances to be carried by hire and drive boats
(other than houseboats to which Schedule 3 applies)*

Boats permitted to operate in smooth waters only

1. A number of coastal life jackets equal to the maximum number of persons that the boat is permitted to carry while underway.

2. One lifebuoy with a light attached.

3. Distress signals as follows:

2 red hand held flares

2 hand held orange smoke signals.

4. A waterproof electric torch or hand lamp.

Boats permitted to operate in sheltered waters only

1. Such number of buoyant appliances, lifebuoys (one of which must have a light attached) or dinghies (or any combination of them) as will provide the capacity to float off the maximum number of persons that the boat is permitted to carry while underway.

2. A number of coastal lifejackets equal to the maximum number of persons that the boat is permitted to carry while underway.

3. Distress signals as follows:

3 parachute distress rockets

2 red hand held flares

1 hand held orange smoke signal.

4. A waterproof electric torch or hand lamp.

Boats permitted to operate outside sheltered waters

1. Such number of coastal liferafts as will provide the capacity to carry off the maximum number of persons that the boat is permitted to carry while underway.

2. One lifebuoy with a light attached.

3. A number of coastal lifejackets (each with a light and whistle attached) equal to the maximum number of persons that the boat is permitted to carry while underway.

4. Distress signals as follows:

3 parachute distress rockets

2 red hand held flares

1 hand held orange smoke signal.

5. A waterproof electric torch or hand lamp.

SCHEDULE 5

Fire appliances to be carried by hire and drive boats (other than houseboats to which Schedule 3 applies)

Boats permitted to operate in sheltered waters only

1. One fire extinguisher suitable for extinguishing oil fires.
2. (1) For a boat over 10 metres in length—two fire buckets with lanyards attached.
(2) For a boat 10 metres or less in length—one fire bucket with lanyard attached.
3. For a boat over 12.5 metres in length (other than a houseboat)—a fixed fire extinguishing system installed in the machinery space of the boat.

Boats permitted to operate outside sheltered waters

1. Two fire extinguishers suitable for extinguishing oil fires.
2. (1) For a boat over 10 metres in length—two fire buckets with lanyards attached.
(2) For a boat 10 metres or less in length—one fire bucket with lanyard attached.
3. For a boat over 12.5 metres in length—a fixed fire extinguishing system installed in the machinery space of the boat.

SCHEDULE 6

*Miscellaneous equipment to be carried by hire and drive boats
(other than houseboats to which Schedule 3 applies)*

Boats permitted to operate in sheltered waters only

1. One signalling torch.
2. An anchor and cable that comply with section 13 (Appendix H) of the Code.
3. A compass with a minimum card diameter of 75 mm.
4. One boat hook.
5. A first aid kit including the following:

- Adhesive Plaster
- Antiseptic Cream
- Antiseptic Solution
- Aspirin
- Bandages
- Calamine Lotion
- Cotton Wool
- Crepe Pressure Bandage
- Dressings
- Finger Stall
- First Aid Pamphlet
- Gauze
- Safety Pins
- Scissors
- Splinter Forceps
- Splinter Probe
- Sunburn Cream

6. Navigation charts and publications giving nautical information relevant to all the waters within which the boat is permitted to operate.

Boats permitted to operate outside sheltered water:

1. A clock.
2. A barometer.
3. A hand lead line or depth sounder.
4. One signalling torch.
5. An anchor and cable that comply with section 13 (Appendix H) of the Code.
6. A compass with a minimum card diameter of 75 mm.
7. One boat hook.

8. A first aid kit including the following:

Item	Quantity in pack	Number of packs
Bandages open weave, 50 mm × 5 m	1	3
Elastic adhesive dressings—assorted sizes	12	2
Crepe bandage 75 mm × 1 m approx	1	1
Sterilised absorbent cotton wool	100 g	2
Zinc oxide, self adhesive bandage, 25 mm × 1 m	1	3
Iodine, weak solution 2.5 per cent	25 mL	1
Amethocain (Tetrocain) 0.5 per cent Eye drop in vials holding one application—sterile	20	1
Cough Linctus	100 mL	2
Cetrimide Cream 0.5 per cent in tube	50 g	2
Non-adhesive dressing pads Novalind or equivalent 80 mm × 80 mm	25	1
Triangular bandages	—	2
Splints (2 arm) (1 leg)	—	—
Safety pins—assorted sized on card	12	1
Lancet	—	1
Scissors	—	1 pair
Splinter forceps	—	1 pair
Medicine measures—plastic metric	—	3
Clinical thermometer	—	2
Copy of first-aid leaflet of instructions	—	1

9. Navigational charts and publications giving nautical information relevant to all the waters within which the boat is permitted to operate.

SCHEDULE 7

Fees

Item	\$
1. For inspection of a boat in relation to initial grant of licence under Part IIIA of the Act or in relation to adding a boat to the fleet operated pursuant to such a licence.....per lineal metre	41.00
2. For inspection of a boat pursuant to a condition of a licence under Part IIIA of the Act—	
(a) where the inspection is required as a result of damage or alteration to the boat.....per lineal metre	10.50
(b) in any other case.....per lineal metre	20.50
3. For examination of boat building plans—	
(a) for construction of a boat (other than a houseboat).....per lineal metre	31.00
(b) for construction of a houseboat.....per lineal metre	20.50
(c) for alterations to any boat.....per lineal metre	20.50
4. For attendance at an inclining experiment	75.00
5. For examination of stability documentation—	
(a) for a boat less than 7.5 metres in length.....per lineal metre	39.00
(b) for a boat 7.5 metres or more in length.....per lineal metre	153.00
6. For non-attendance by owner or agent at an appointed inspection.....per lineal metre	10.50
7. For issue of a replacement or additional certificate of inspection	30.00

APPENDIX 1

Legislative History

Regulation 2:

varied by 249, 1991, reg. 2; 44, 1992, reg. 2

APPENDIX 2**DIVISIONAL PENALTIES AND EXPIATION FEES**

At the date of publication of this reprint divisional penalties and expiation fees are, as provided by section 28A of the *Acts Interpretation Act 1915*, as follows:

Division	Maximum imprisonment	Maximum fine	Expiation fee
1	15 years	\$60 000	—
2	10 years	\$40 000	—
3	7 years	\$30 000	—
4	4 years	\$15 000	—
5	2 years	\$8 000	—
6	1 year	\$4 000	\$300
7	6 months	\$2 000	\$200
8	3 months	\$1 000	\$150
9	—	\$500	\$100
10	—	\$200	\$75
11	—	\$100	\$50
12	—	\$50	\$25