

South Australia

## **Harbors and Navigation Variation Regulations 2014**

under the *Harbors and Navigation Act 1993*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Harbors and Navigation Variation Regulations 2014*.

#### **2—Commencement**

These regulations will come into operation on 3 October 2014.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

## **Part 2—Variation of *Harbors and Navigation Regulations 2009***

### **4—Insertion of Part 11 Division A1**

Part 11—before Division 1 insert:

#### **Division A1—Preliminary**

##### **114—Interpretation**

In this Division—

*registration* includes renewal of registration.

### **5—Variation of regulation 115—Application for registration**

Regulation 115(1)(b)(ii)—delete "and, in the case of an application for registration in a business name, the address of the principal place of business at which the owner carries on business in that business name"

### **6—Variation of regulation 116—Grant of registration**

(1) Regulation 116—after subregulation (1) insert:

(1a) The CE may renew the registration of a vessel despite the registration having expired.

(2) Regulation 116(3)(b)—delete ", or to re-register a vessel, under this Subdivision" and substitute:

under regulation 120

(3) Regulation 116(3)—after paragraph (b) insert:

or

(ba) renew the registration of a vessel in a different name to the name in which the vessel is registered,

(4) Regulation 116(4)(b)—delete paragraph (b) and substitute:

(b) an application is made to—

(i) transfer the registration to 1 or more of those registered owners under regulation 120; or

(ii) renew the registration in the name of 1 or more of those registered owners (being a different name or names to those in which the vessel is currently registered).

(5) Regulation 116(7)—delete subregulation (7) and substitute:

(7) The CE may register a vessel under this Subdivision—

(a) in the case of a personal watercraft—for a period of 6 or 12 months (at the option of the applicant); or

(b) in the case of a vessel not more than 7 metres in length—for a period of 6 or 12 months (at the option of the applicant); or

(c) in the case of a vessel more than 7 metres in length—for a period of 12 months.

(7a) Subject to these regulations, the registration of a vessel under this Subdivision remains in force until the last day of the period for which it was registered (and the registration may be renewed in accordance with any procedure determined by the CE).

**Note—**

The fees for renewal of registration are set out in Schedule 14.

### **7—Variation of regulation 119—Registration label**

Regulation 119(2)(a)—delete "for registration or renewal of registration" and substitute:

in respect of the registration of the vessel

### **8—Variation of regulation 120—Transfer of registration**

(1) Regulation 120(1)—delete "apply for the registration of the vessel to be transferred to the new owner's name" and substitute:

give written notice to the CE of the change in the registered owner's name or address

(2) Regulation 120—after subregulation (1) insert:

(1a) A person may apply for the registration of a vessel that is unexpired to be transferred to the new owner of a vessel.

(3) Regulation 120(4)—delete subregulation (4) and substitute:

(4) Subject to this Division, if a person applies for transfer of registration of a vessel in accordance with this regulation, the CE must grant the application.

**Note—**

However, the CE must not grant the application unless HIN plates are fixed to the vessel in accordance with Subdivision 6—see regulation 116(3).

### **9—Variation of regulation 125—Cancellation of registration or temporary registration**

Regulation 125(1)(a)(i)—after "registration" insert:

or temporary registration

### **10—Variation of Schedule 14—Fees**

(1) Schedule 14 clause 3(2)—after "bears to 12 months" insert:

and then rounding the amount up to the nearest dollar

- (2) Schedule 14 clause 4, table, Fees relating to Part 11, entry relating to "Application for registration of vessel"—delete the entry and substitute:

Application for registration of vessel

**Note—**

Personal watercraft and vessels up to 7 m may be registered for 6 or 12 months but vessels more than 7 m may only be registered for 12 months—see regulation 116(7). 6 months/12 months

- |     |  |                         |
|-----|--|-------------------------|
| (a) | for a personal watercraft—                                   |                         |
|     | • initial registration                                       | \$158.00/\$316.00       |
|     | • renewal of registration                                    | \$145.00/\$290.00       |
|     | • renewal of registration in different name                  | \$161.00/\$306.00       |
| (b) | for any other vessel—according to length as follows:         |                         |
|     | (i) if the vessel is not more than 3.5 m—                    |                         |
|     | • initial registration                                       | \$21.00/\$42.00         |
|     | • renewal of registration                                    | \$8.00/\$16.00          |
|     | • renewal of registration in different name                  | \$24.00/\$33.00         |
|     | (ii) if the vessel is more than 3.5 m but not more than 6 m— |                         |
|     | • initial registration                                       | \$39.00/\$77.00         |
|     | • renewal of registration                                    | \$27.00/\$53.00         |
|     | • renewal of registration in different name                  | \$43.00/\$70.00         |
|     | (iii) more than 6 m but not more than 7 m—                   |                         |
|     | • initial registration                                       | \$85.00/\$170.00        |
|     | • renewal of registration                                    | \$73.00/\$145.00        |
|     | • renewal of registration in different name                  | \$89.00/\$161.00        |
|     | (iv) more than 7 m but not more than 10 m—                   |                         |
|     | • initial registration                                       | not applicable/\$170.00 |
|     | • renewal of registration                                    | not applicable/\$145.00 |
|     | • renewal of registration in different name                  | not applicable/\$161.00 |
|     | (v) more than 10 m but not more than 15 m—                   |                         |
|     | • initial registration                                       | not applicable/\$242.00 |
|     | • renewal of registration                                    | not applicable/\$219.00 |
|     | • renewal of registration in different name                  | not applicable/\$235.00 |
|     | (vi) more than 15 m but not more than 20 m—                  |                         |

- initial registration not applicable/\$316.00
  - renewal of registration not applicable/\$290.00
  - renewal of registration in different name not applicable/\$306.00
- (vii) more than 20 m—
- initial registration not applicable/\$364.00
  - renewal of registration not applicable/\$340.00
  - renewal of registration in different name not applicable/\$356.00

**Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Made by the Governor**

with the advice and consent of the Executive Council  
on 18 September 2014

No 240 of 2014