

South Australia

Harbors and Navigation Variation Regulations 2016

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 2016*.

2—Commencement

These regulations come into operation on the day on which they are made.

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—Variation of regulation 11—Restricted areas

Regulation 11(6)—delete subregulation (6) and substitute:

- (6) This regulation does not apply in relation to an authorised person operating a vessel if—
 - (a) the authorised person is acting in the course of official duties; and
 - (b) in the circumstances, the authorised person is taking reasonable care.
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5—Variation of regulation 165—Navigation at sea

Regulation 165(4)—delete subregulation (4) and substitute:

- (4) Subregulation (3) does not apply in relation to a vessel being operated by an authorised person if—
 - (a) the authorised person is acting in the course of official duties; and
 - (b) in the circumstances, the authorised person is taking reasonable care.

6—Variation of regulation 166—Navigation in inland waters

Regulation 166(4)—delete subregulation (4) and substitute:

- (4) Subregulation (3) does not apply in relation to a vessel being operated by an authorised person if—
 - (a) the authorised person is acting in the course of official duties; and
 - (b) in the circumstances, the authorised person is taking reasonable care.

7—Variation of regulation 168—Speed restrictions

Regulation 168—after subregulation (3) insert:

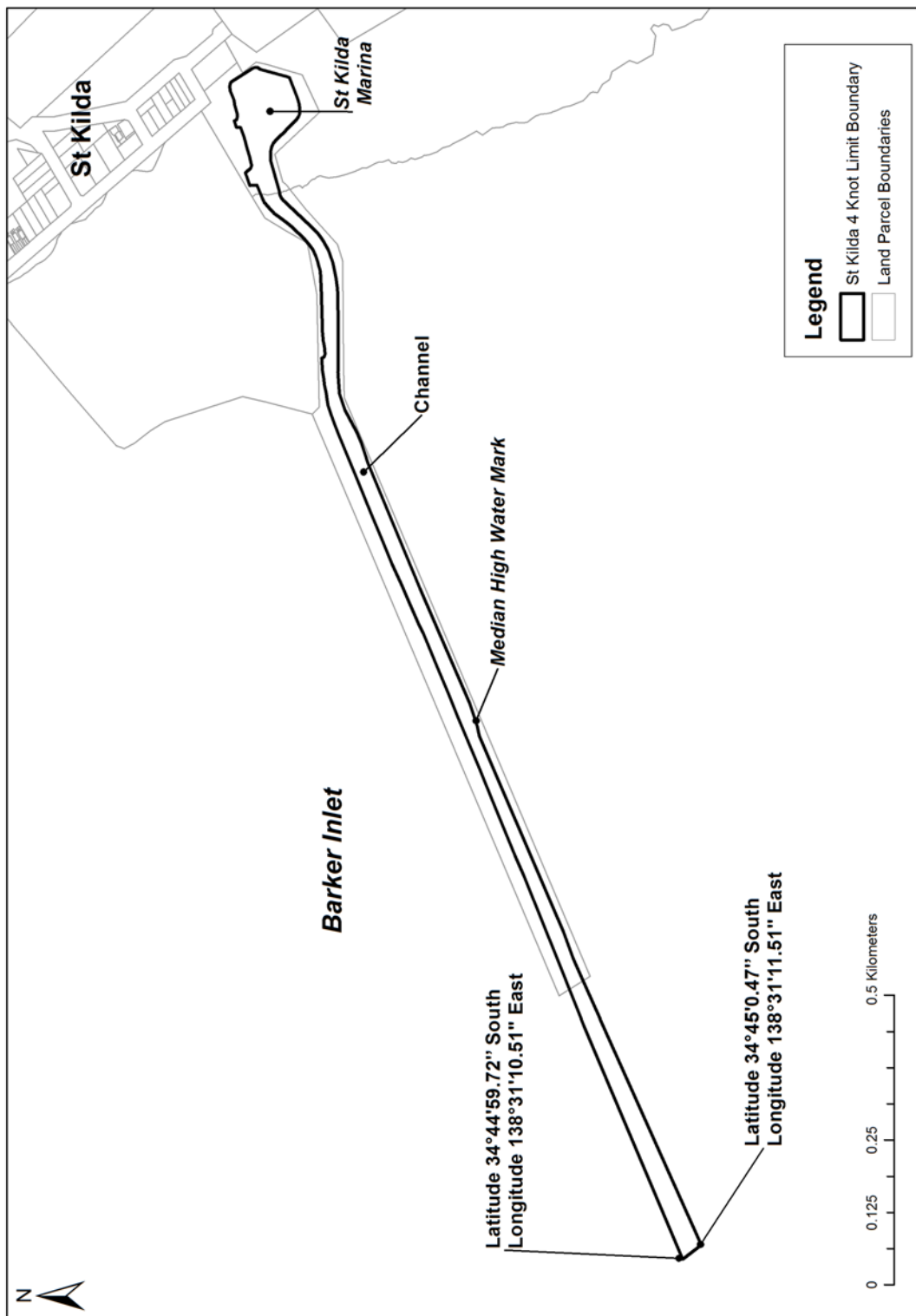
- (3a) This regulation does not apply in relation to an authorised person operating a vessel if—
 - (a) the authorised person is acting in the course of official duties; and
 - (b) in the circumstances, the authorised person is taking reasonable care.

8—Variation of Schedule 5—Restricted areas

- (1) Schedule 5, Part 1, clause 1, Murray Bridge, Area 3—delete Area 3
- (2) Schedule 5, Part 1, clause 1—after the description and map relating to the Stansbury restricted areas insert:

St. Kilda

The waters within the St. Kilda Marina and the channel out to the St. Kilda entrance beacon located at latitude 34°44'59.72"S, longitude 138°31'10.51"E and the starboard lateral beacon located at latitude 34°45'0.47"S, longitude 138°31'11.51"E.



- (3) Schedule 5, Part 3, clause 3, table, Murray Bridge, Area 3—delete the entries relating to Area 3

- (4) Schedule 5, Part 3, clause 3, table—after the entries relating to Stansbury Areas 1 and 2 insert:

St. Kilda Controls 2 and 6

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 Administrator

with the advice and consent of the Executive Council
on 8 September 2016

No 217 of 2016

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