

South Australia

**HARBORS AND NAVIGATION (CONTROL OF CAULERPA TAXIFOLIA)
REGULATIONS 2002**

REGULATIONS UNDER THE HARBORS AND NAVIGATION ACT 1993

*Harbors and Navigation (Control of Caulerpa Taxifolia)
Regulations 2002*

being

No. 18 of 2002: *Gaz.* 8 April 2002, p. 1541¹

as varied by

No. 28 of 2002: *Gaz.* 9 May 2002, p. 1860²

¹ Came into operation 9 April 2002: reg. 2.

² Came into operation 9 May 2002: reg. 2.

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *For the legislative history of the regulations see Appendix.*

2.

SUMMARY OF PROVISIONS

1. Citation
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SCHEDULE

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Citation

1. These regulations may be cited as the *Harbors and Navigation (Control of Caulerpa Taxifolia) Regulations 2002*.

Commencement

2. These regulations will come into operation on 9 April 2002.

Interpretation

3. In these regulations—

"Act" means the *Harbors and Navigation Act 1993*.

Restricted waters: s. 27

4. The activities specified in an entry in the Schedule are prohibited in the waters described in that entry ("**restricted waters**") during the periods specified in that entry.

Offences

5. (1) A person who, without the approval of the CEO, contravenes or fails to comply in restricted waters with a prohibition applying in the waters according to the Schedule is guilty of an offence (but it is a defence to a charge of such an offence for the defendant to prove that the defendant was taking part in a rescue operation or otherwise acting in an emergency).

Maximum penalty: \$1 250

Expiation fee: \$160.

(2) If a vessel is involved in the commission of an offence against subregulation (1), the owner of the vessel is also guilty of an offence (but it is a defence to a charge of such an offence for the owner to prove that the vessel was operated in the manner constituting the offence without the owner's consent).

Maximum penalty: \$1 250

Expiation fee: \$160.

(3) A prohibition applying in restricted waters according to the Schedule does not apply in relation to an authorised person in the exercise of powers under the Act or regulations under the Act.

4.

SCHEDULE
Restricted Waters

<i>Waters</i>	<i>Period</i>	<i>Prohibited activities</i>
1. The waters known as West Lakes.	Continuous until 30 June 2002.	<ul style="list-style-type: none"><li data-bbox="967 427 1265 562">· The taking of vessels into the waters or causing or permitting vessels to enter or remain in the waters.<li data-bbox="967 600 1265 714">· Any aquatic activity in the waters including swimming, bathing or scuba diving.

5.

APPENDIX

LEGISLATIVE HISTORY

Schedule
Item 1:

varied by 28, 2002, reg. 3