

As in force at 20 June 2002.

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

No. 129 of 2002: *Gaz.* 20 June 2002, p. 2678³

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

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

³ **Came into operation 20 June 2002: reg. 2.**

NOTE:

- *Asterisks indicate repeal or deletion of text.*
- *Entries appearing in bold type indicate the amendments incorporated since the last consolidation.*
- *For the legislative history of the regulations see Appendix.*

2.

SUMMARY OF PROVISIONS

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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 September 2002.	<ul style="list-style-type: none">· The taking of vessels into the waters or causing or permitting vessels to enter or remain in the waters.· Any aquatic activity in the waters including swimming, bathing or scuba diving.

5.

APPENDIX

LEGISLATIVE HISTORY

(entries in bold type indicate amendments incorporated since the last consolidation)

Schedule
Item 1:

varied by 28, 2002, reg. 3; **129, 2002, reg. 3**