

South Australia

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

under the *Harbors and Navigation Act 1993*

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### 1—Citation

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

### 2—Commencement

These regulations will come into operation on 9 April 2002.

### 3—Interpretation

In these regulations—

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

### 4—Restricted waters: section 27

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.

### 5—Offences

- (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.

## **Schedule 1—Restricted waters**

<b>Waters</b>	<b>Period</b>	<b>Prohibited activities</b>
1 The waters known as West Lakes.	3 October 2002 to 31 August 2003.	<ul style="list-style-type: none"><li>• The taking of vessels into the waters or causing or permitting vessels to enter or remain in the waters.</li><li>• Any aquatic activity in the waters including swimming, bathing or scuba diving.</li></ul>

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes.

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2002	18	<i>Gazette 8.4.2002 p1541</i>	9.4.2002: r 2
2002	28	<i>Gazette 9.5.2002 p1860</i>	9.5.2002: r 2
2002	129	<i>Gazette 20.6.2002 p2678</i>	20.6.2002: r 2
2002	192	<i>Gazette 3.10.2002 p3600</i>	3.10.2002: r 2
<b>2002</b>	<b>238</b>	<b><i>Gazette 19.12.2002 p4827</i></b>	<b>19.12.2002: r 2</b>

### Provisions varied

New entries appear in bold.

Provision	How varied	Commencement
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Item 1	varied by 28/2002 r 3	9.5.2002
	varied by 129/2002 r 3	20.6.2002
	varied by 192/2002 r 3	3.10.2002
	<b>varied by 238/2002 r 3</b>	<b>19.12.2002</b>