

South Australia

Harbors and Navigation (Control of Caulerpa Taxifolia) Regulations 2002

under the *Harbors and Navigation Act 1993*

Contents

- 1 Citation
- 3 Interpretation
- 4 Restricted waters: s. 27
- 5 Offences

Schedule—Restricted waters

Legislative history

1—Citation

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

3—Interpretation

In these regulations—

Act means the *Harbors and Navigation Act 1993*.

4—Restricted waters: s. 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—Restricted waters

Waters	Period	Prohibited activities
1 The waters known as West Lakes.	3 October 2002 to 31 January 2004.	<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.

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
2002	238	<i>Gazette 19.12.2002 p4827</i>	19.12.2002: r 2
2003	187	<i>Gazette 28.8.2003 p3401</i>	28.8.2003: r 2

Provisions varied

New entries appear in bold.

Provision	How varied	Commencement
r 2	omitted under <i>Legislation Revision and Publication Act 2002</i>	28.8.2003
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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
	varied by 238/2002 r 3	19.12.2002
	varied by 187/2003 r 4	28.8.2003