

South Australia

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

under the *Harbors and Navigation Act 1993*

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Schedule 1—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*.

3A—Application of regulations

These regulations are in addition to, and do not derogate from, any other law.

4—Restricted waters: section 27

The activities specified in an entry in Schedule 1 are prohibited in the waters described in that entry (*restricted waters*).

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 Schedule 1 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 Schedule 1 does not apply in relation to—
- (a) if the restricted waters are within a port—the port operator, or a person authorised by the port operator, in carrying out activities necessary for the operation and maintenance of the port; or
 - (b) in any case—an authorised person in the exercise of powers under the Act or regulations under the Act.
- (4) A prohibition on mooring applying in restricted waters according to Schedule 1 does not apply to the mooring, for a period not exceeding 48 hours, of a vessel that has—
- (a) a length not exceeding 15 metres; and
 - (b) a beam not exceeding 4.5 metres; and
 - (c) a draft not exceeding 1.5 metres,

at a mooring buoy designated by the Minister by notice in the Gazette provided that at least 1 person is aboard the vessel at all times while it is moored at such a buoy.

Schedule 1—Restricted waters

Note—

The map in this Schedule is provided for convenience of reference only.

Waters

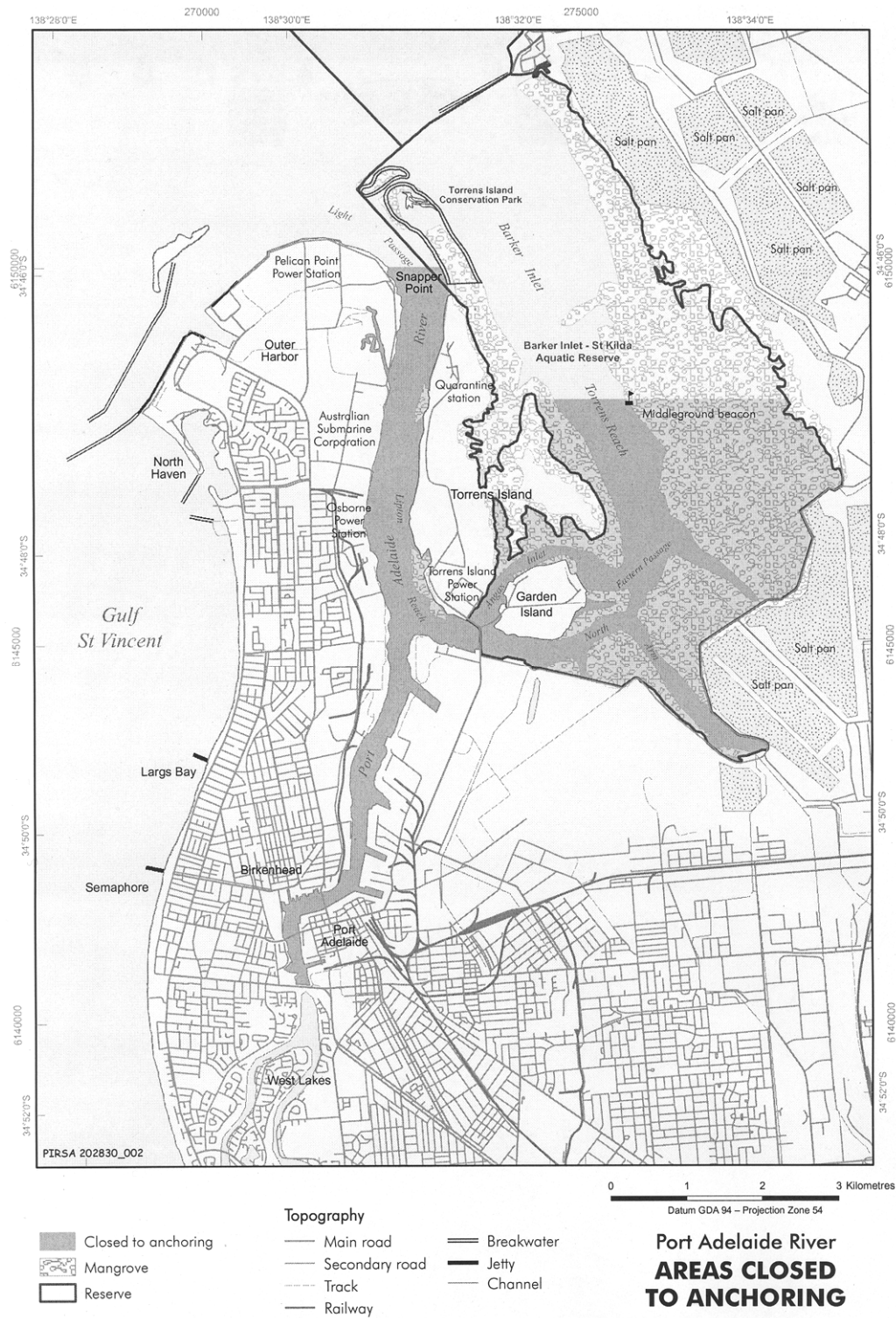
All waters of the Port River south of an east west line from Snapper Point to Torrens Island and all waters of the North Arm, Eastern Passage, Angas Inlet, Torrens Reach and Barker Inlet south of an east west line passing through Middleground Beacon.

Prohibited activities

The anchoring of a vessel in the waters.

The mooring of a vessel in the waters at a mooring buoy designated by the Minister by notice in the Gazette.

revoked—15.11.2007 to 28.2.2011—Harbors and Navigation (Control of *Caulerpa Taxifolia*)
Regulations 2002
 Restricted waters—Schedule 1



Legislative history

Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Revocation of regulations

The *Harbors and Navigation (Control of *Caulerpa Taxifolia*) Regulations 2002* were revoked by r 3 of the *Harbors and Navigation (Control of *Caulerpa Taxifolia*) Revocation Regulations 2011* on 1.3.2011.

Principal regulations and variations

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
2005	163	<i>Gazette 7.7.2005 p2338</i>	7.7.2005: r 2
2007	256	<i>Gazette 15.11.2007 p4244</i>	15.11.2007: r 2

Provisions varied

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
r 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	28.8.2003
r 3A	inserted by 163/2005 r 4	7.7.2005
r 4	varied by 163/2005 r 5	7.7.2005
	varied by 256/2007 r 4	15.11.2007
r 5		
r 5(1)	varied by 256/2007 r 5(1)	15.11.2007
r 5(3)	substituted by 163/2005 r 6	7.7.2005
	varied by 256/2007 r 5(1)	15.11.2007
r 5(4)	inserted by 256/2007 r 5(2)	15.11.2007

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revoked—15.11.2007 to 28.2.2011—Harbors and Navigation (Control of *Caulerpa Taxifolia*)
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<i>Item 1</i>	<i>varied by 28/2002 r 3</i>	9.5.2002
	<i>varied by 129/2002 r 3</i>	20.6.2002
	<i>varied by 192/2002 r 3</i>	3.10.2002
	<i>varied by 238/2002 r 3</i>	19.12.2002
	<i>varied by 187/2003 r 4</i>	28.8.2003
	<i>deleted by 163/2005 r 7</i>	7.7.2005
Sch 1	inserted by 163/2005 r 7	7.7.2005
	varied by 256/2007r 6	15.11.2007

Historical versions

28.8.2003

7.7.2005