

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SMALL CRAFT) REGULATIONS

As in force at 7 August 2002

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NORTHERN TERRITORY OF AUSTRALIA

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MARINE (SMALL CRAFT) REGULATIONS

Regulations under the *Marine Act*

1 Citation

These Regulations may be cited as the *Marine (Small Craft) Regulations*.

1A Definitions

In these Regulations, unless the contrary intention appears:

diver means a person underwater using diving aids or equipment but does not include a person using a snorkel.

small craft has the same meaning as in section 210(2) of the Act.

2 Closure of Northern Territory waters

- (1) The Minister may, by notice in the *Gazette*, declare, for the purposes of holding a regatta, competition, carnival or other event, except an owner of a small craft whose entry has been accepted by the persons holding the regatta, competition, carnival or other event, for a period of not more than 48 hours, any Northern Territory waters to be closed to any other small craft.
- (2) A member of the Police Force may prevent a small craft from entering or remove a small craft from any Northern Territory waters which have been, by a notice under subregulation (1), closed.
- (3) A person, other than the owner of a small craft whose entry has been accepted by the persons holding a regatta, competition, carnival or other event, shall not navigate a small craft in Northern Territory waters which have been, by a notice under subregulation (1), closed.

Penalty: 100 penalty units.

3 Reckless navigation

A person must not navigate or use a small craft carelessly, negligently, recklessly or at a speed or in a manner that is dangerous to or likely to cause injury to a person or damage to property (including the small craft).

Penalty: 30 penalty units.

4 Divers

- (1) A diver operating from a vessel must ensure, at all times while the diver is in the water, that there is displayed on the vessel, so as to be visible to a person approaching the vessel from any direction, a rigid replica of the International Code Flag "A" denoting that a diver is operating in the area.
- (2) A diver operating from a vessel must ensure at all times while the diver is in the water that there is a person on the vessel.
- (3) A person referred to in subregulation (2) must maintain a proper watch at all times while a diver is in the water.
- (4) A diver who is not operating from a vessel must, at all times while the diver is in the water, tow a float displaying a rigid replica of the International Code Flag "A" denoting that a diver is operating in the area.
- (5) A diver must not display a rigid replica of the International Code Flag "A" denoting that a diver is operating in an area unless the dimensions of the flag are:
 - (a) in respect of a flag displayed under subregulation (1) – not less than 100 centimetres x 100 centimetres; or
 - (b) in respect of a flag displayed under subregulation (4) – not less than 25 centimetres x 25 centimetres.

Penalty: 20 penalty units.

5 Restricted areas

A person must not navigate a small craft:

- (a) at a speed exceeding 5 nautical miles per hour within 30 metres of a person bathing;

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- (b) at a speed exceeding 5 nautical miles per hour within 150 metres of the water's edge at the time at a beach between the following specified points:
 - (i) Nightcliff Beach – between the northwesterly prolongation of the northeastern boundary of Lot 1842 Town of Nightcliff and the northwesterly prolongation of the northeastern boundary of Banksia Street;
 - (ii) Fannie Bay – between a line southwest from Dudley Point and a line bearing 288 degrees true from a point at the intersection of the westerly prolongation of the southern boundary of Gregory Street and high water mark;
 - (iii) Mindil Beach – between a line due west from the northwestern corner of Lot 5670 Town of Darwin and a line due north from the most northern corner of Lot 6394 at Myilly Point;
 - (c) at a speed exceeding 5 nautical miles per hour through or in a mooring area or within 30 metres of a moored vessel;
 - (d) at a speed exceeding 5 nautical miles per hour within 100 metres of a jetty, wharf or commercial shipping and cargo area; or
 - (e) at speed that the wash from the vessel endangers the safety of a person, boat or structure.

Penalty: 10 penalty units.

6 Anchoring

- (1) The master or other person in charge of a small craft must not anchor or permit the small craft to be anchored:
 - (a) in a shipping channel except in an emergency;
 - (b) in a declared pilotage area outside the Port of Darwin except in an emergency;
 - (c) near or at the approach to a wharf or jetty in a position that obstructs another vessel approaching or leaving the wharf or jetty; or
 - (d) within 100 metres of a water ski jump.

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- (2) The master or other person in charge of a small craft must not anchor or permit the small craft to be anchored in a position that obstructs the passage of another vessel.

Penalty: 20 penalty units.

ENDNOTES

1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION

Marine (Small Craft) Regulations (SL No. 28, 1985)

Notified	6 November 1985
Commenced	6 November 1985

Amendment of Marine (Small Craft) Regulations (SL No. 16, 2001)

Notified	2 April 2001
Commenced	2 April 2001

Amendments of Marine (Small Craft) Regulations (SL No. 23, 2002)

Notified	7 August 2002
Commenced	7 August 2002

3 LIST OF AMENDMENTS

r 1A	ins No. 23, 2002, r 1
r 2	amd No. 16, 2001
rr 3 – 6	ins No. 23, 2002, r 2