



Queensland

Transport Operations (Marine Safety) Amendment Regulation (No. 2) 2006

Subordinate Legislation 2006 No. 37

made under the

Transport Operations (Marine Safety) Act 1994

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1 Short title

This regulation may be cited as the *Transport Operations (Marine Safety) Amendment Regulation (No. 2) 2006*.

2 Commencement

This regulation commences on 1 April 2006.

3 Regulation amended

This regulation amends the *Transport Operations (Marine Safety) Regulation 2004*.

4 Amendment of s 6 (References to length of ship)

Section 6(a), ‘section 176’—
omit, insert—
‘sections 40 and 176’.

5 Replacement of s 40 (Life jackets and personal flotation devices)

Section 40—
omit, insert—

‘40 Life jackets and personal flotation devices

- ‘(1) This section applies if the requirements under this regulation for a ship’s safety equipment include a requirement for a life jacket or personal flotation device for each person on board.
- ‘(2) The ship is taken not to be equipped with the required safety equipment unless—
- (a) there is an appropriate life jacket or personal flotation device for each person on board; and
 - (b) if the ship is an open boat that is less than 4.8m—
 - (i) while the ship is underway, each person on board who is under 12 years is wearing—

- (A) the required appropriate life jacket or personal flotation device; or
- (B) an appropriate PFD type 1; and
- (ii) while the ship is crossing a coastal bar, each person on board is wearing—
 - (A) the required appropriate life jacket or personal flotation device; or
 - (B) an appropriate PFD type 1.
- ‘(3) In this section—

appropriate, in relation to a life jacket or personal flotation device for a person, means of an appropriate size for the person.

open boat means a ship the structure of which does not include a permanent rigid deckhouse, cabin or other enclosed space suitable for a person to occupy.

person means an individual who is 1 year or more.’.

6 Insertion of new sch 14B

After schedule 14A—

insert—

‘Schedule 14B Coastal bars

schedule 15, definition *coastal bar*

| Column 1 Coastal Bar | Column 2 Location |
|---------------------------------|--|
| Currumbin Bar | Located near the town of Currumbin in the vicinity of where the Currumbin Creek and the Coral Sea meet |
| Tallebudgera Bar | Located near the town of Burleigh Heads in the vicinity of where the Tallebudgera Creek and the Coral Sea meet |
| Jumpinpin Bar | The passage of water between North Stradbroke Island and South Stradbroke Island |
| South Passage Bar | The passage of water between North Stradbroke Island and Moreton Island |
| Caloundra Bar | Located near the town of Caloundra in the vicinity of where the northern end of Pumicestone Channel (commonly known as Pumicestone Passage) and the Coral Sea meet |
| Maroochy Bar | Located near the town of Maroochydore in the vicinity of where the Maroochy River and the Coral Sea meet |
| Noosa Bar | Located near the town of Noosa Heads in the vicinity of where the Noosa River and the Coral Sea meet |
| Wide Bay Bar | Located between the southern end of Fraser Island and Inskip Point in the vicinity of where the southern end of Great Sandy Strait and the Coral Sea meet’. |

7 Amendment of sch 15 (Dictionary)

Schedule 15—

insert—

‘coastal bar means a bar—

- (a) named in column 1 of schedule 14B; and
- (b) described in column 2 of the schedule opposite the name of the bar mentioned in column 1.

underway means not at anchor, made fast to the shore or aground.’.

ENDNOTES

- 1 Made by the Governor in Council on 9 March 2006.
- 2 Notified in the gazette on 10 March 2006.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport.