I, PHILIP MICHAEL JEFFERY, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Protection of the Sea (Powers of Intervention) Act 1981.

Dated 13 December 2006

P. M. JEFFERY
Governor-General

By His Excellency’s Command

DE-ANNE KELLY
Parliamentary Secretary to the Minister for Transport and Regional Services
1 Name of Regulations
These Regulations are the Protection of the Sea (Powers of Intervention) Amendment Regulations 2006 (No. 1).

2 Commencement
These Regulations commence on the day after they are registered.

3 Amendment of Protection of the Sea (Powers of Intervention) Regulations
Schedule 1 amends the Protection of the Sea (Powers of Intervention) Regulations.

Schedule 1 Amendments
(regulation 3)

[1] Regulation 1
substitute

1 Name of Regulations
These Regulations are the Protection of the Sea (Powers of Intervention) Regulations 1983.

[2] Subregulation 3 (1)
substitute
(1) For paragraph 18 (1) (b) of the Act, the Authority must be notified of a change in the ownership of the ship in a message transmitted to the Rescue Coordination Centre of the Authority using any of the following means of communication:
(a) telephone;

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(b) fax;
(c) email;
(d) telex;
(e) high frequency radio digital selective calling.

Note In the context of maritime radio communication, the terms ‘high frequency’ and ‘digital selective calling’ may be found cited as ‘HF’ and ‘DSC’ respectively.

[3] Subregulation 3 (2)

substitute

(2) A message referred to in subregulation (1) must commence with the code letters TRANSREP and must specify:
(a) in the case of a telephone message:
   (i) that the message is urgent; and
   (ii) the telephone number, fax number, email address or telex number to be used to send an urgent message to the person who was the owner of the ship; and
(b) in any other case, all of the following:
   (i) the date on which the message is transmitted;
   (ii) the time of day, expressed as Universal Co-ordinated Time, that the message is transmitted;
   (iii) that the message is urgent;
   (iv) the telephone number, fax number, email address or telex number to be used to send an urgent message to the person who was the owner of the ship.

[4] Paragraphs 3 (3) (d) and (e)

substitute

(d) the telephone number, fax number, email address or telex number to be used to send an urgent message to the new owner of the ship; and
(e) particulars of any change to the flag or name of the ship.
[5] **Subregulation 4 (1)**

*substitute*

(1) For paragraph 18 (2) (b) of the Act, the Authority must be notified by the person ceasing to be the master of the ship in a message transmitted to the Rescue Coordination Centre of the Authority using any of the following means of communication:

(a) telephone;
(b) fax;
(c) email;
(d) telex;
(e) high frequency radio digital selective calling.

*Note* In the context of maritime radio communication, the terms ‘high frequency’ and ‘digital selective calling’ may be found cited as ‘HF’ and ‘DSC’ respectively.


*substitute*

(2) A message referred to in subregulation (1) must commence with the code letters TRANSREP and must specify:

(a) in the case of a telephone message:
    (i) that the message is urgent; and
    (ii) the telephone number, fax number, email address or telex number to be used to send an urgent message to the person ceasing to be the master of the ship; and

(b) in any other case, all of the following:
    (i) the date on which the message is transmitted;
    (ii) the time of day, expressed as Universal Co-ordinated Time, that the message is transmitted;
    (iii) that the message is urgent;
    (iv) the telephone number, fax number, email address or telex number to be used to send an urgent message to the person ceasing to be the master of the ship.
Subregulation 4 (3)

substitute

(3) The following particulars of a change in the master of a ship are prescribed for paragraph 18 (2) (b) of the Act:
(a) the name of the new master of the ship;
(b) the date of engagement of the new master.

After regulation 4

insert

5 Notification of change of owner of tangible asset

(1) For paragraph 18 (3) (b) of the Act, the Authority must be notified of a change in the ownership of a tangible asset in a message transmitted to the Rescue Coordination Centre of the Authority using any of the following means of communication:
(a) telephone;
(b) fax;
(c) email;
(d) telex;
(e) high frequency radio digital selective calling.

Note In the context of maritime radio communication, the terms ‘high frequency’ and ‘digital selective calling’ may be found cited as ‘HF’ and ‘DSC’ respectively.

(2) A message referred to in subregulation (1) must commence with the code letters TRANSREP and must specify:
(a) in the case of a telephone message:
   (i) that the message is urgent; and
   (ii) the telephone number, fax number, email address or telex number to be used to send an urgent message to the person who was the owner of the tangible asset; and
(b) in any other case, all of the following:
   (i) the date on which the message is transmitted;
(ii) the time of day, expressed as Universal Co-ordinated Time, that the message is transmitted;
(iii) that the message is urgent;
(iv) the telephone number, fax number, email address or telex number to be used to send an urgent message to the person who was the owner of the tangible asset.

(3) The following particulars of a change in the ownership of a tangible asset are prescribed for paragraph 18 (3) (b) of the Act:
   (a) the name of the new owner of the tangible asset;
   (b) the address of the principal place of business or residence of the new owner;
   (c) the telephone number, fax number, email address or telex number to be used to send an urgent message to the new owner;
   (d) particulars of any change to the tangible asset.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the Legislative Instruments Act 2003. See www.frli.gov.au.