EXPLANATORY STATEMENT

Issued by the Authority of the Minister for Local Government, Territories and Roads

Jervis Bay Territory Acceptance Act 1915
Marine Safety Ordinance 2007

Subsection 4F(1) of the Jervis Bay Territory Acceptance Act 1915 (the Act) provides that the Governor-General may make Ordinances for the peace, order and good government of the Jervis Bay Territory.

The purpose of the Ordinance is to protect the safety and amenity of the users of the Jervis Bay Territory (JBT) waters and the amenity of the occupiers of adjoining land, by ensuring the safe operation of recreational vessels within the waters of the JBT.

The laws of the Australian Capital Territory (ACT) apply in the JBT, through the Jervis Bay Acceptance Act (1915) as if the JBT formed part of the ACT. As the ACT does not have any maritime waters, no specific maritime laws apply to the body of water in the JBT. These circumstances have caused a situation where there are no controls on the safety of recreational vessels.

The Ordinance regulates: vessel registration; operator licencing; safety equipment to be carried on board registered vessels; drug and alcohol offences; and the recognition of interstate vessel registration and operator licences. The Ordinance does not apply to the Australian Defence Force, or to the naval and air or military forces of another country.

The Ordinance commenced on the day after it was registered on the Federal Register of Legislative Instruments.

The Ordinance is a legislative instrument for the purposes of the Legislative Instruments Act 2003.