



Great Barrier Reef Marine Park Amendment Regulations 2005 (No. 2)¹

Select Legislative Instrument 2005 No. 252

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 *Great Barrier Reef Marine Park Act 1975*.

Dated 10 November 2005

P. M. JEFFERY
Governor-General

By His Excellency's Command

IAN CAMPBELL
Minister for the Environment and Heritage

1 Name of Regulations

These Regulations are the *Great Barrier Reef Marine Park Amendment Regulations 2005 (No. 2)*.

2 Commencement

These Regulations commence as follows:

- (a) on the day after they are registered — regulations 1 to 3 and Schedule 1;
- (b) on 1 January 2006 — Schedule 2.

3 Amendment of *Great Barrier Reef Marine Park Regulations 1983*

Schedules 1 and 2 amend the *Great Barrier Reef Marine Park Regulations 1983*.

Schedule 1 Amendments commencing on day after registration

(regulation 3)

[1] Subregulations 3 (2) and (2A)

substitute

- (2) In these Regulations, a reference to the *Whitsundays Plan of Management 1998* is a reference to that Plan as in force on and after the commencement of subregulation 177 (2).
- (2A) In these Regulations, a reference to the *Cairns Area Plan of Management 1998* is a reference to that Plan as in force on and after the commencement of subregulation 173 (4).

[2] Paragraph 173 (3) (a)*omit*

on the day on which this subregulation commences;

insert

on 2 December 2004;

[3] After subregulation 173 (3)*insert*

(4) For subsection 39ZF (2) of the Act:

- (a) enforcement provisions inserted in the Plan by *Cairns Area Plan of Management Amendment 2005 (No. 1)* take effect on the day on which this subregulation commences; and
- (b) enforcement provisions in the Plan amended by *Cairns Area Plan of Management Amendment 2005 (No. 1)* take effect as so amended on that day.

[4] Regulation 177*substitute***177 Date of effect of enforcement provisions of Plan**

- (1) Part 2 of the Plan, as amended by the *Whitsundays Plan of Management Amendment 2002 (No. 1)*, takes effect on 7 June 2002.
- (2) For subsection 39ZF (2) of the Act:
 - (a) enforcement provisions inserted in the Plan by *Whitsundays Plan of Management Amendment 2005 (No. 1)* take effect on the day on which this subregulation commences; and
 - (b) enforcement provisions in the Plan amended by *Whitsundays Plan of Management Amendment 2005 (No. 1)* take effect as so amended on that day.

Schedule 2 Amendments commencing on 1 January 2006

(regulation 3)

[1] Subregulation 3 (1), after definition of *Holders*

insert

permitted mooring means a mooring, other than a mooring installed by, or for, the Authority, for which the Authority has granted a relevant permission.

[2] After regulation 101

insert

101A Mooring buoy must display mooring reference number

(1) In this regulation:

mooring reference number means, for a permitted mooring:

- (a) the unique number, or alphanumeric code, issued by the Authority in relation to the permitted mooring for display on the mooring buoy; or
- (b) if the mooring is also a buoy mooring approved under the *Transport Operations (Marine Safety) Regulation 2004* of Queensland — the unique identifying number for the buoy mooring mentioned in paragraph 213 (a) of that Regulation.

(2) The holder of the relevant permission for a permitted mooring is guilty of an offence if the mooring reference number is not permanently and legibly displayed on the mooring buoy.

Penalty: 15 penalty units.

(3) An offence against subregulation (2) is an offence of strict liability.

[3] Part 14, Table 189, after item 3*insert*

3A subregulation 101A (2) (Mooring buoy must display mooring reference number) 3

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.