

LEGISLATIVE COUNCIL

Read 1^o 3 May 1983

(As sent to the Legislative Assembly)

A BILL

for

An Act to amend the *Motor Boating Act 1961* to make provision for the registration of certain motorized sailing vessels and of air cushion vehicles operating over water, and for other purposes.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1. (1) This Act may be cited as the *Motor Boating (Amendment) Act 1983*. Short title

(2) In this Act the *Motor Boating Act 1961* is referred to as the Principal Act.

Principal Act
No. 6832.
Reprinted to
No. 8662.
Subsequently
amended by
Nos. 9120, 9126,
9557 and 9574.

10 (3) The several provisions of this Act shall come into operation on a day or on the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the *Government Gazette*.

Commence-
ment.

Amendment of
No. 6832, s. 2.

2. In section 2 (1) of the Principal Act—

- (a) before the interpretation of “Authority” there shall be inserted the following interpretation:

“Air cushion
vehicle.”

“Air cushion vehicle” means a vehicle which is designed to be supported, when in motion, wholly or partly by air expelled from the vehicle to form a cushion, the boundaries of which include the water beneath the vehicle.’; and

- (b) in the interpretation of “Boat”, after the word “water” there shall be inserted the words “and any air cushion vehicle not exceeding 20 metres in length”; and

- (c) at the end of the interpretation of “Motor boat” there shall be inserted the following expression:

“and for the purposes of Part II. includes a sailing vessel which—

- (a) is equipped or fitted with machinery as a source of propulsion;

- (b) is fitted with a cabin;

- (c) is capable of being transported by road on a trailer otherwise than pursuant to a special permit issued under the *Motor Car Act* 1958; and

- (d) is launched and retrieved or intended to be launched and retrieved from a launching ramp open to and used by the public without the use of equipment other than its trailer and ancillary equipment.”

Amendment of
No. 6832, s. 11.

3. In section 11 of the Principal Act the words “as a motor boat” (where twice occurring) are repealed.

Amendment of
No. 6832, s. 13.

4. In section 13 (3) of the Principal Act for the expression “\$2” there shall be substituted the expression “\$4”.

Amendment of
No. 6832, s. 14A.

5. In section 14A of the Principal Act—

- (a) in sub-section (1), for the expression “\$20” there shall be substituted the expression “\$40”; and

- (b) in sub-section (3), for the expression “\$2” there shall be substituted the expression “\$4”.

Amendment of
No. 6832, s. 14C.

6. In section 14C of the Principal Act the words “as a motor boat” are repealed.

7. (1) In

7. (1) In section 15 of the Principal Act after sub-section (3) there shall be inserted the following sub-section:

Amendment
No. 6832, s.

“(4) Regulations under sub-section (1)—

Regulations
may incorporate
standards or
leave equipment
to be approved
by Marine
Board.

5 (a) may incorporate or adopt by reference any standard formulated by a recognized standards association; and

10 (b) may leave any matter or thing to be approved, certified, determined, dispensed with or regulated by the Marine Board of Victoria appointed under Part III. of the *Marine Act* 1958 or under the *Navigation Act* 1912 of the Commonwealth.”.

(2) Section 15 of the Principal Act shall be deemed to have been enacted as amended by this section.

Amendment
retroactive.

8. Section 26 of the Principal Act shall be repealed.

Repeal of s. 26
of No. 6832.

15 9. In Schedule 1 of the Principal Act the Table is hereby amended as follows:

Amendment of
No. 6832,
Schedule 1.

(a) for the expression “\$4” there shall be substituted the expression “\$8”;

(b) for the expression “\$12” there shall be substituted the expression “\$24”; and

20 (c) for the expression “\$20” there shall be substituted the expression “\$40”.

