

Welcome to another boating season

This summer we're aiming to make the waterways not only fun, but safer than ever after announcing a package of new safety laws in August. These include tougher penalties, new offences and stronger enforcement of laws on our waterways.

The evidence shows the vast majority of boaters act safely and within the law – in fact compliance statewide is around 90%. However, we can never be complacent.

That is why enforcement is a top priority for Maritime Boating Safety Officers. Last year over 41,000 random checks of vessels were conducted to ensure safety on our waterways.

To set an appropriate safety framework, new safety controls are in place and boat licence requirements will be further strengthened.

In 2005, NSW Maritime introduced a more robust test for those wanting to obtain a licence to drive a powerboat at a speed of 10 knots or more or a PWC at any speed. Then in 2006, Maritime introduced a compulsory Boating Safety Course prior to sitting the general licence test and the PWC licence test.

The Boating Safety Course can be done either by studying online, viewing a DVD or by attending a course in person conducted by NSW Maritime or an accredited agency.

To take the education of future generations of boat licence holders to another level, a compulsory practical boating component will be added in 2009 before a licence is issued.

These measures are strengthening the culture of safe boating in NSW.

Furthermore, in August this year, I convened an education and communication forum of experts to review NSW Maritime's current strategy. The forum involved international experts from the US and New Zealand and was independently chaired.

We will more than double our education spending to make sure we continue to improve boating safety and continue to build awareness of the safety precautions everyone should take while enjoying our waterways.

Safe boating everyone.



Joe Tripodi

The Hon. Joe Tripodi, MP
Minister for Ports & Waterways

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Boat Driver Licensing

The speed at which a boat is driven determines whether a person needs to be licensed.

Any person who drives a powered vessel for recreational purposes on NSW waters at a speed of 10 knots or more must have a boat driver's licence.

Ten knots is the speed at which most accelerating boats will start to plane – that is rise up and skim on top of the water instead of ploughing through it.

The exception is anyone who drives a personal watercraft (PWC) at ANY speed must have a PWC Licence.

Types of Licence

General Licence

A licence for people aged 16 years and over to drive any vessel, except a PWC at 10 knots or more.

General Young Adult Licence

A restricted licence for those aged from 12 to under 16 years. A Young Adult Licensee must:

- (1) be accompanied by the holder of a General Licence when travelling at 10 knots or more
- (2) never exceed 20 knots
- (3) never travel at 10 knots or more after sunset and before sunrise
- (4) never travel at 10 knots or more when towing a person
- (5) not drive in any race, display, regatta or exhibition without prior consent from the NSW Maritime and
- (6) never operate a PWC unless the holder of a Young Adult PWC Licence.

Personal Watercraft (PWC) Licence

A special licence is required to drive a PWC regardless of what speed it is driven. To obtain an initial PWC Licence, the General Licence test must be passed before the PWC test can be attempted. Persons who hold a General Licence can upgrade to a PWC Licence at any time.

Young Adult PWC Licence

A restricted licence for those aged from 12 to under 16 years who wish to drive a PWC. The same conditions which apply to the General Young Adult Licence apply to this licence. A Young Adult PWC Licence holder must be accompanied by a PWC Licence holder when operating at a speed of 10 knots or more.

Licence Period

A General Licence or PWC Licence is available for either 12 months or three years. You will save money by selecting a three year licence. Young Adult Licences are only available for one year. One-year General Licences and General Young Adult Licences are issued as paper licences. Three Year General Licences are issued as paper licences followed by a plastic card. All PWC Licences are issued as plastic photo identity cards.

Commercial Qualifications

An appropriate Certificate of Competency is required to take charge of vessels used for commercial purposes. To obtain these qualifications you will need to have records of your boating experience, complete approved training courses and meet minimum medical and eyesight standards.

Holders of valid NSW Certificates of Competency can operate a vessel, excluding PWC, for recreational purposes, without the need to hold a General Licence. Further details can be obtained by contacting NSW Maritime Infoline on 13 12 36 or by visiting www.maritime.nsw.gov.au

How to Obtain a Licence

To obtain a General Boat Drivers Licence you will need to:

- Complete the compulsory General Licence Boating Safety Course
- Pass the General Licence test
- Pay the licence fee

To obtain an initial Personal Watercraft (PWC) Drivers Licence you will need to:

- Complete both the compulsory General and PWC Licence Boating Safety Courses
- Pass the General and PWC Licence tests. The general licence test must be passed before the PWC licence test can be attempted
- Pay the licence fee

To upgrade your existing General Boat Drivers Licence to a PWC Drivers Licence you will need to:

- Complete the compulsory PWC Licence Boating Safety Course
- Pass the PWC Licence test
- Pay the licence fee

NOTE: IN ADDITION TO BOATING SAFETY COURSE REQUIREMENTS IT WILL BECOME COMPULSORY FROM 1 JUNE 2009 TO PROVIDE EVIDENCE OF PRACTICAL BOATING EXPERIENCE BEFORE THE GENERAL LICENCE TEST CAN BE ATTEMPTED.

For details on when the new requirement begins and how to comply with practical boating requirements, call Info Line 13 12 56 or visit www.maritime.nsw.gov.au

How to comply with Boating Safety Course (BSC) requirements

A number of methods are available to comply with BSC requirements, for which a nominal fee applies and include:

- Viewing the course presentation on NSW Maritime's website
- Purchasing a DVD of the course for viewing at home
- Attending a course conducted by NSW Maritime or a Volunteer Marine Rescue Organisation (VMRO). Recognised VMRO are the Australian Volunteer Coast Guard Association (AVCGA), Royal Volunteer Coastal Patrol (RVCP) and Volunteer Rescue Association (VRA).

On completion of the BSC, a Certificate of Completion is issued, which is valid for 12 months. This certificate must be presented by the applicant when sitting the licence test. A licence test fee is payable for each licence test attempt, NSW Maritime also recognises courses conducted by Recognised Training Providers (RTP) as satisfying BSC requirements. These organisations conduct

courses, for which fees apply, that have a practical training option and include the NSW Maritime licence test in their assessment process. Successful applicants are given a Certificate of Satisfactory Completion which must be presented together with the licence fee, within 12 months, to a NSW Maritime Operations Centre in order to be issued a boat licence. These courses will satisfy the practical boating experience requirement.

Approved courses are available from:

- ABC Licence Training Pty Ltd
- All Hands On Deck Maritime Training
- Boating Licence Course
- Defence Maritime Services
- Maritime and Safety Training NSW
- NSW Boating College
- Sea School Australia Pty Ltd
- BASE Point North
- Maritime Training School

The following Certificates from Yachting Australia are also recognised as satisfying the full requirements (including the practical component) for a General Boat Licence.

- National Powerboat Training Scheme
- National Yacht Cruising Scheme
- National Motor Cruising Scheme

How to comply with boat licence test requirements

Both the General and PWC Licence tests can only be undertaken following completion of the compulsory Boating Safety Course(s). Initial PWC Licence applicants must pass the General Licence test before being permitted to sit the PWC test.

A test fee is payable for each licence test attempt and can be undertaken at any of the following venues:

- NSW Maritime Operations Centre
- Roads and Traffic Authority Registry
- Government Access Centre

When attending a licence test, applicants must bring their Certificate of Completion, Proof of Identity and from 1 June 2009 evidence of practical experience. Boat licence tests can also be undertaken at the conclusion of Boating Safety Courses conducted by NSW Maritime, VMRO and RTP.

For more information on boat licence requirements, Boating Safety Course and licence test venues and Recognised Training Providers access the NSW Maritime website www.maritime.nsw.gov.au or telephone 13 12 56.

When Applying for a Licence:

- An applicant must provide Proof of Identity documentation before sitting the tests. See the section on Proof of Identity in this book
- Young Adult Licence applicants must be accompanied by a parent or legal guardian when sitting the test. Proof of identity of the parent or guardian is required
- PWC Licence applicants must provide two colour passport acceptable photographs (light background). PWC Licences are plastic photo cards and two new photos will be required each time the licence is renewed
- An applicant must complete an application form, declare any medical condition or physical disability which may affect their ability to safely operate a boat, meet eyesight standards and pay the appropriate fees.

Remember

You must carry your licence and produce it for inspection when requested by a NSW Maritime officer, a member of the Police or other authorised officers.

Owners of vessels must be able to identify the person driving their vessel at all times, even if the owner is not onboard at the time.

Licence holders and owners of vessels should promptly notify NSW Maritime of any changes to personal details or address. Licences sent to the wrong address can be cancelled and a re-instatement fee charged.

If your licence is not renewed within two years of its expiry date you will need to complete the entire licence process.

Recognition of Licences

Temporary recognition of licences is available to visitors from interstate or overseas.

A NSW licence is not required when:

1. your usual place of residence is outside NSW, and
2. you have not been in NSW continuously during the three months preceding the date on which you are driving the vessel, and
3. you hold and carry a valid current licence or permit to drive a vessel of the type you are driving issued under the legislation of another State, Territory or country.

If any of the above conditions cannot be met and you wish to drive a power-driven vessel at 10 knots or more or a PWC regardless of its speed on navigable waters in NSW, you must hold a current NSW General Licence or PWC Licence.

Please note you are required to comply with NSW boating laws while boating in this State. That includes carrying your licence when boating.

Proof of Identity

To ensure the accuracy of records held by NSW Maritime, proof of identity (POI) is necessary when conducting a business transaction.

There are three types of POI documents: Full, Primary and Secondary. Either one full POI document or at least one primary and one secondary POI document is required. Documents provided as POI must be original or certified copies.

Acceptable full proof Pol documents (no other document required)

- An RTA issued NSW Photo Driver's Licence that is current or not expired more than two (2) years;
- An RTA issued Photo Card that is current or not expired more than two (2) years;
- A NSW Maritime issued PWC Photo Card Licence that is current or not expired more than two (2) years; or
- A NSW Maritime issued Certificate of Competency containing a photo of the holder that is current or not expired more than two (2) years.

Acceptable primary proof Pol documents

- An Australian passport that is current or not expired more than two (2) years;
- An RTA issued NSW Photo Driver's Licence or NSW Photo card that has expired more than two (2) years;
- A NSW Maritime issued PWC Photo Card Licence that has expired more than two (2) years;



- A NSW Maritime issued Certificate of Competency containing a photo of the holder that has expired more than two (2) years;
- A current Document of Identity issued by the Australian Passport Office;
- A current overseas passport;
- An RTA issued NSW Photo Firearm, Security Industry or Commercial Agents and Private Agents Operator Licence that is current or not expired more than two (2) years;
- A current NSW Police Force or Australian Defence Force Photo Identity Card;

- A photo drivers licence issued by another Australian State or Territory that is current or not expired more than two (2) years;
- An Australian Full Birth Certificate showing parental details or a current Photo Birth Card issued by the NSW Registry of Births, Deaths and Marriages (Commemorative Certificates are not acceptable except for 1987 and 1988 NSW Historic Birth Certificates);
- A current consular photo identity card issued by the Department of Foreign Affairs and Trade;
- An Australian naturalisation or citizenship document or immigration papers issued by the Commonwealth Department of Immigration and Citizenship;
- An overseas birth certificate showing parental details provided a passport or an official Australian travel document is also shown;
- Certificate of Aboriginality issued by an organisation (eg: Land Council) recognised by the Aboriginal and Torres Strait Islander Council;

- A current Certificate of Competency issued by another Australian State or Territory that contains a photo of the holder; or
- A current boat licence issued by another Australian State or Territory that contains a photo of the holder.

Acceptable secondary proof POI documents

- A NSW Maritime issued General or Young Adult Boat Licence that is current or not expired more than two (2) years;
- A current Medicare card, Pensioner Concession card, Department of Veteran's Affairs Entitlement card, or any other current entitlement card issued by the Commonwealth Government;
- A current credit card that shows your name and signature or account card from a bank, building society or credit union, or a passbook or account statement that is current or not expired more than one (1) year;
- A telephone, gas or electricity bill not more than one (1) year old;
- A water rates, council rates or land valuation

notice not more than two (2) years old;

- An electoral enrolment card or other evidence of enrolment not more than two (2) years old;
- An Australian Defence Force discharge document not more than two (2) years old;
- A current student identity card or a certificate or statement of enrolment not more than two (2) years old from an educational institution; or
- A current Mobility Parking Scheme (MPS) card with or without a photo.

Acceptable young adult POI documents?

Young adult licence applicants (persons between 12 years and under 16 years of age) can meet POI requirements by providing original documents or certified copies of one (1) of the following:

- At least one (1) primary proof and one (1) secondary proof document as listed above; or
- An Australian Full Birth Certificate showing parental details or a current Photo Birth Card issued by the NSW Registry of Births, Deaths and Marriages.

Young adult licence applicants must obtain written consent from a parent or legal guardian to obtain a boat licence and acceptable POI documents for the parent or legal guardian must also be provided.

Legal guardians must also provide the original or certified copy of the document evidencing legal guardianship.

Acceptable company/organisation POI documents

A company/organisation shows Proof of Identity by proving its legal status. To prove its legal status a company/organisation must provide an Australian Company Number (ACN) by supplying the original or a certified copy of one of the following documents:

- A Certificate of Incorporation issued by the NSW Office of Fair Trading or an interstate equivalent;
- A Certificate of Registration of Business Name;
- A current Company Extract;
- A Certificate of Registration on Change of Name; or

- A printed extract from the Australian Securities and Investments Commission (ASIC) website

Sole traders and partnerships without a registered business name must supply an ABN or Statutory Declaration stating the nature of the business.

A foreign company must provide a Certificate of Registration of a Foreign Company with an Australian Registered Body Number (ARBN). Where a company/organisation nominates a designated officer as its controller/representative, the application must be accompanied by a letter on company/organisation letterhead and signed by a Director/Secretary authorising the controller/representative to act on behalf of the company/organisation.

The nominated controller/representative must also provide acceptable POI documents.

For other acceptable POI documents and for further information contact the Infoline on 13 12 56.

Other Licences

Aquatic Licence

The State's waterways are a community resource which is often subject to conflicting demands for access. In order to balance organised activities on the waterways with the rights of other users, aquatic licences are issued by NSW Maritime.

An aquatic licence is required by any person or organisation conducting, promoting or organising an event/activity such as a race, display, regatta, exhibition or any other activity which restricts the availability of navigable waters for normal use by the public.

Penalties apply for conducting an event/activity without an aquatic licence.

Activities for which an aquatic licence is required include:

- sailing events
- water-ski events
- powerboat events
- swim events
- festivals/displays, including fireworks displays
- filming

Depending on the circumstances and type of

activity, NSW Maritime may grant, if requested, 'exclusive use' of a waterway, or section of it, for conduct of the aquatic activity.

If exclusive use is permitted, the aquatic event organiser must arrange for an approved notice containing details of the activity, to be placed in newspapers circulating in the district where the event/activity is to be conducted and in metropolitan newspapers of Sydney, Newcastle and Wollongong where the activity is to be held within 120 km of these cities.

Depending on the type of aquatic event/activity to be conducted, NSW Maritime will determine whether a full marine notice or small public notice is required to be published.

All costs associated with advertising are to be borne by the aquatic event organiser and notices must be placed not more than 14 days prior to commencement of the event/activity.

How is an aquatic licence obtained?

All applicants for an aquatic licence must submit a completed Application for Aquatic

Licence, together with required supporting documentation and appropriate fee, a minimum of four (4) weeks prior to commencement of the event/activity.

Late applications will incur a late fee or the application may be refused.

When submitting the application the following must be provided:

- full details of the event/activity including type, date(s), time, location and area of operation
- a detailed map of the area in which the event/activity is to take place
- an acknowledgement that a Risk Assessment in relation to the Event has been undertaken by the applicant in which all risks associated with the Event have been listed and strategies to alleviate these risks identified and implemented
- an operational plan detailing safety procedures, rescue craft, qualified personnel in attendance and communications procedures
- written authorisation on the organisation's letterhead for the nominated representative to act on behalf of the applicant

- proof of identity for both the applicant and nominated representative
- details of a contact officer if different to the nominated representative who can be contacted during the conduct of the event/activity
- licence application fee.
In addition, the following supporting documentation must be provided where relevant:
- written consent from the landowner, including Local Council, for use of the foreshore land to be used in connection with the event/activity;
- written authorisation from the Local Council where the noise level is expected to exceed 95 decibels;
- a copy of the Work Cover Risk Assessment for fire-works events; and
 - completed NSW Marine Parks Authority Permit Application form where the proposed event/activity is within a Marine Park.

Do conditions apply to an aquatic licence?

All aquatic licences issued are subject to a standard set of conditions and depending on the type of event/activity to be conducted, additional conditions may apply. Also 'local' conditions may apply for a particular aquatic licence event/activity.

When NSW Maritime approves an application for aquatic licence, the applicant is forwarded an aquatic licence certificate together with a list of all conditions applicable to that licence.

An aquatic licence is issued on the basis that all conditions are complied with and penalties apply for non compliance.

What insurance requirements apply to an aquatic licence?

An aquatic licence is issued on the basis that the Licensee expressly and unreservedly indemnifies NSW Maritime from all liability associated with the Event/activity and releases NSW Maritime

from any actions, of whatsoever nature, that may be instituted in relation to the Event/activity. Acceptance of the Licence constitutes irrevocable acceptance of this condition. It is a condition of the Licence that the Licensee clearly advises all participants whether or not they are covered by the Licensee's insurance should they sustain injury or loss/damage to property as a result of participating in the event. All details of the coverage must be provided prior to participation in the Event/activity. It is also a condition of the licence that the Licensee must give a written warning to all participants in relation to risks associated with participating in the Event/activity and a written acknowledgement obtained from all participants. The warning and acknowledgement can be included in the application required to be completed by the participant.

What fees apply to aquatic licences?

Unless exempted, fees apply, and are based on the type and duration of the aquatic event/

activity to be conducted. The types of aquatic licence issued are as follows:

- aquatic licence of not more than 3 days
- aquatic licence of more than 3 days but less than 12 months
- aquatic licence of not more than 3 days (exclusive use)

Additional fees may apply for expenses incurred by NSW Maritime in respect of:

- attendance by NSW Maritime officer(s) at the event/activity
- the use of additional safety measures such as the provision of escort vessels
- educational institutions where the event/activity is sanctioned by the NSW Department of Education
- volunteer organisations
- registered charitable organisations

For details on fees, proof of identity and further information please contact:

- your local NSW Maritime operations centre, or
- NSW Maritime's Info Line on 13 12 56 (8.30 am – 4.30pm) 7 days a week

Moorings

General information

Moorings are used to secure a vessel in a particular location. Types of moorings, their use and colour are as follows:

	Type	Buoy colour	Purpose
1	Private mooring	Generally Yellow	Licence permits you to moor your vessel on navigable waters and is renewable annually.
2	Commercial/ Club mooring	Generally Orange	Licence issued to a business entity trading to provide marine type services to the boating public. For further information contact your local NSW Maritime office
3	Emergency mooring	Blue	Used by NSW Maritime or Water Police to store vessels in emergency situations.
4	Courtesy mooring	Pink	Freely available for use by the general boating public on a 24hr basis.

A mooring licence is required for 1 & 2 above.

Application for a mooring licence can be made at any NSW Maritime Operation Centre.

Note that only approved vessels are able to secure to a private, commercial/club or

emergency mooring. Penalties apply for non-compliance.

Private Mooring Licence

The issue of a Private Mooring Licence is subject to availability and only available to an individual who is the owner or equal majority shareholder of a vessel with a length of 5.2m or more. There are three tiers of mooring licence fee depending on the location in NSW and the fee scale is dependant of the length of the vessel. In popular areas where moorings are not available, a priority list will exist. On receipt of your application and payment of the fee your name will be added to the priority list in strict order of application.

Hire and Drive

If you'd like to hire a small boat and operate it yourself you should be aware of the following:

- most powered hire vessels do not go over 10 knots so you do not need a licence to operate them
- if the vessel is capable of 10 knots or more you must have your boat licence to be able

- to operate it at 10 knots or more
- you can request to see the hire operator's licence and emergency management plan if you wish
- all licensed hire operators are required to get you to sign a 'Register of Hirers'
- all hire and drive operators are required to give instruction in the use of the vessel
- hire operators may refuse to hire a vessel to you, or suspend your hire, if they consider that you are not capable of handling the vessel or the conditions, or if the conditions are too dangerous
- hire vessels are required to carry safety equipment as specified elsewhere in this handbook but there may be additional requirements for some hire vessels (eg kayak hirers must wear a lifejacket)
- complaints about a hire and drive operator can be made by calling Infoline on 13 12 56 and
- people hiring a vessel must observe the marine regulations and safety requirements.

For more information go to Hire and Drive System for NSW.

Who's working on your boat?

To ensure your boat remains in tiptop condition, see your local **Marine Industry Mechanical Repairers** or **Shipwrights and Boatbuilders** Association member. These skilled tradespeople are fully qualified to cater for your needs. There's nothing like the security of knowing you're dealing with the right service provider.

Look for these BIA member symbols



www.bia.org.au

P. 02 9438 2077 E. info@bia.org.au

Registration of Vessels

The following vessels must be registered with NSW Maritime when they are on navigable waters in NSW:

- any commercial vessel
- power-driven vessels that are powered by an engine with a power rating of 4.0 kilowatts or more (greater than 5hp)
- any power-driven or sailing vessel of 5.5 metres or longer
- every vessel subject to a mooring licence (includes marina berths)
- every personal watercraft (PWC).

Exemptions from this requirement include:

- off-the-beach vessels unless subject to a mooring licence or similar authority (including marina wet berths and wetland lease)
- passive craft
- seaplanes
- vessels in charge of a trader being used for a specified commercial purpose of the vessel or of a trade article and displaying a trade plate
- visiting vessels in prescribed circumstances

Application for Registration

Application forms for initial registration are available at any NSW Maritime operation centre. When applying for registration, you must provide the following:

- Completed '**Application for Vessel Registration**' in one name (or organisation) only
- Proof of acquisition – copy of an acceptable receipt/ bill of sale or consignment note
- HIN (Boatcode) certificate
- Proof of Identity
- Concession card (if applicable)
- Prescribed fee

An acceptable receipt must include the following details:

- Full name and signature of seller
- Full name and address of buyer
- Date of sale and the words 'received payment in full' or similar and
- HIN/ Boatcode number (if applicable) and a full description of vessel

If the receipt/ bill of sale does not include the essential requirements another receipt



or Statutory Declaration must be provided detailing the required information.

Transfer

When selling a vessel the owner must complete and forward the Notice of Disposal to NSW Maritime. Within 21 days the owner must also sign the reverse side of the registration certificate and give it, together with an acceptable receipt to the buyer for transfer purposes. The buyer has 21 days to complete the transfer otherwise a late fee will be charged. The buyer must also provide proof of identity and a Boatcode (HIN) certificate (if applicable).

**SWITCH
TO 406**

DISTRESS BEACONS

121.5 MHz distress beacons
will no longer be detected
by satellite after
1 February 2009.

Avoid the rush

Switch to a digital 406 MHz
distress beacon

REGISTER YOUR 406

Register your 406 MHz
beacon with AMSA to
enable a faster response.

Registration is free



Australian Government

Australian Maritime Safety Authority

BEACON DISPOSAL

Unwanted beacons can
now be disposed of at
no cost by placing them
in collection bins in any
of the Battery World
stores around Australia.

Be responsible

 **Battery World**

For more information see <http://beacons.amsa.gov.au> or phone 1800 406 406

Personalised Vessel Registration

Personalised vessel registrations can be applied for at any NSW Maritime operations centre. Subject to availability they may be any combination of up to six alpha/numeric characters (which are not offensive) and must always be followed by the letter “N”. An additional fee applies.

Registration Numbers

Mechanically propelled vessels must show registration numbers on each side of the vessel at least 150mm high and clearly visible while underway. They should be located on the forward section of the vessel's hull on each side of the vessel.

Sailing vessels must show registration numbers on the transom or on both sides of the hull adjacent to the stern. In the case of multi hull craft, the numbers must be on the outer faces of the external hulls adjacent to the stern. The figures must be at least 100mm high and be visible when the vessel is underway.

Note: For registration purposes, a “sailing vessel” means a vessel which has sails as its primary means of propulsion.

PWC must have registration numbers on each side of the craft in figures of at least 100mm high, where they are clearly visible when the vessel is underway.

Commercial vessels must display a permit number or commercial registration number. The number must be displayed on each side of the hull or on the transom in figures at least 150mm high.

Display of Registration Numbers

The numbers/lettering must be of contrasting colours to the boat's hull. Black numbers are standard on a light coloured hull, but on a dark coloured hull you should use white or pale figures. Numbers must be solid, in a clear font or style and all letters must be displayed in upper case.

Safety Label

A Safety Label, which replaces the previous Capacity Plate, must be displayed clearly on all powered vessels (except PWC). The label indicates the maximum number of people to be carried on a particular vessel as well as important safety information. The label must be placed where it can be seen by the skipper and all persons onboard the vessel.

The maximum number of persons for good conditions is to be shown. A reduction in the maximum number must be made in adverse weather conditions or when on open waters. If not, the master may be guilty of negligent navigation.



A Safety Label is required regardless of whether the vessel is fitted with an Australian Builders Plate (ABP).

In determining whether your vessel complies with the capacity limits, the following applies:

- children up to one year of age are not

counted (although you still require safety equipment for them)

- each child between the ages of one and 12 equals one half of an adult and
- capacity of a person is assessed at 75kg per person with an additional allowance of 15kg per person for personal gear.



Australian Builders Plate

Most new recreational boats will need to have an Australian Builders Plate (ABP) to be registered in New South Wales. The ABP gives you key safety information such as: the number of people and load allowed on a boat; engine rating and weight; as well as buoyancy performance.

If you are buying a new boat, the plate also makes it easier to choose one that best suits your needs.

Importantly, the maximum load information will help you to avoid overloading and possible capsizing. Maximum load includes the weight of people; outboard engines; and carry on





equipment such as safety gear, eskies, fishing tackle, spare parts and portable tanks etc. A major safety characteristic of the plate is its requirement to have either level or basic flotation for boats less than 6 metres.

- Basic flotation means that the boat will float in some capacity in the event of swamping or capsizing. This may allow you to cling onto the boat whilst awaiting help.
- Level flotation means that the boat will float in a level position if swamped. This will allow you to remain in the boat and possibly bail out the water whilst awaiting help.

Remember; always check with your boat's builder or a marine professional before modifying your boat's hull or permanent fittings, as this can impact on the boat's flotation and other aspects vital to its safe operation.

Registration Label

The registration label, which is issued as part of the annual registration renewal, must be attached to the exterior of a powered vessel on the port side where it is clearly visible. On sailing vessels, it must be placed on the transom or port side of the hull.

Fees

Information regarding current registration fees is available from Info Line 13 12 56.

Change of address

Registered vessel owners must promptly notify NSW Maritime of any changes of address in writing or by telephoning the Info Line.

Recognition of Registration

Temporary exemption from the NSW registration requirements is available to visitors from another State, Territory or overseas. NSW registration is not required as long as the vessel:

1. is not ordinarily used on navigable waters in NSW and
2. has not been in NSW for more than three months and
3. is currently registered in another State, Territory or overseas and
4. is properly numbered and carries an identification plate required by the law of its home State, Territory or country.

If any of these conditions cannot be met and the vessel is registrable under NSW law, it must carry NSW registration when on navigable waters in this State.

If the home State/ Territory or Overseas vessel does not have registration requirement, the vessel must be registered in NSW, or another State.

Note: Vessels in Australian registry are not exempted from NSW registration.

Boatcode

Built-in Security for Your Vessel

Boatcode helps in the identification of vessels by use of a unique hull identification number (HIN). Use of a HIN allows each vessel to be recorded on a Register of Encumbered Vessels (REVS) operated by the NSW Office of Fair Trading.

Boatcode is compulsory for:

- new vessels before registration
- second-hand vessels prior to transfer of registration
- second-hand vessels being registered for the first time.

In addition to the regulatory requirement, a HIN may be affixed voluntarily to any vessel, registerable or otherwise, at any time.

Benefits

Boatcode provides a wide range of benefits to the boating community including:

- the expansion of REVS to include financially encumbered vessels
- a numbering system which deters vessel theft

- improved recovery of stolen vessels
- reduced fraud in the insurance industry
- more finance companies participating in the marine market with competition benefiting the boating community
- increased consumer confidence in the used vessel market.

Prior to purchasing a second-hand vessel you should contact REVS on 133 220 between 8.30am and 5pm weekdays and 9am to 2pm Saturdays.



Certificate

New or existing vessels which have not been Boatcoded or had a validated manufacture certificate issued will not be registered. NSW Maritime has established a network of Boatcode agencies throughout NSW to facilitate the validation and affixing of the HIN and issue of Boatcode certificates for individual vessels.

For details of fees and your nearest Boatcode agent please contact NSW Maritime Info line on 13 12 56 8.30am to 4.30pm – 7 days a week. For all other areas please call (02) 9563 8557.



Boating Industry Association
www.bia.org.au

Boating Offences

Penalty notices

If an offence is committed, authorised officers may issue a penalty notice requiring payment of a penalty within a prescribed period.

Serious offences

Serious or repeat offences under the marine legislation will result in proceedings in a court after the issue of a court attendance notice. Such offences may include dangerous or negligent navigation.

Alcohol and Drug Offences

Breath testing, including random breath testing (RBT), can be conducted on the operator of a vessel while it is underway. RBT does not apply when a vessel is moored, berthed or at anchor. However, a designated driver (skipper) should remain under the legal limit when out on the water in case you need to move your vessel.

Permissible concentration of alcohol limits are as follows:

- less than 0.02 for commercial vessel operators
- 0.00 for recreational vessel operators aged under 18 years
- less than 0.05 for recreational vessel operators over 18 years.

The operator of a vessel includes anyone steering or exercising control over the course or direction of a vessel and includes the observer in a ski boat or PWC, as well as the person being towed.

Penalties range from \$1100 for a first offence in the low range (0.05-0.08) to a \$5500 fine and up to 2 years imprisonment, or both, for a second offence in the high range (0.15 and above).

A court may also cancel or suspend a person's licence and disqualify them for a specified period if they are convicted of an alcohol or drug offence.

Naval Vessels

For safety reasons, people are prohibited from climbing, attaching themselves to or helping another person to attach themselves to a naval vessel. A 'moving exclusion zone' has also been introduced for naval vessels whilst on NSW waters. This zone extends 200m from the bow and 60m either side of a naval vessel whilst it is underway. A 'distance off' of 60m from a naval vessel that is moored, anchored or berthed also applies at all times. Penalties apply.

Other Offences

A licence may be cancelled or suspended in other instances including after a conviction for negligent and/or dangerous navigation, for causing a nuisance or overloading, or if it is believed the operator is incapable of safely driving a vessel.

PWC Penalties

There are on-the-spot fines of up to \$1500 for the offence of navigating a PWC in an exclusion zone. These fines are distinct from the one

applying to the irregular driving prohibition within the 200 metre zone, which will attract a fine of \$250.

Other penalties include:

- on-the-spot fine for not observing the correct distance from people in the water plus licence cancellation for one year after two safety offences in any two-year period
- in addition to a fine for a first offence of driving a PWC without a licence, the offender will be disqualified from holding any form of NSW boat licence for two years
- an on-the-spot penalty and disqualification for four years for a second offence of driving a PWC without a licence, with a third offence costing \$1500 and disqualification for life from any form of NSW boat licence, and any subsequent offences attracting a fine of \$1500
- a \$500 on-the-spot penalty applies to the owner or driver of any PWC vessel driven between sunset and sunrise.

Note: Fines for riding a PWC without a licence are served upon the rider and the owner.

There's nothing like the security of knowing you're dealing with a BIA member

For any of your boating needs, deal with a member of the Boating Industry Association to ensure you are getting the right products and services.

Look for the BIA member symbol



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