

Great Barrier Reef Marine Park Amendment (No-Anchoring Areas) Regulations 2021

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 24 June 2021

David Hurley

Governor-General

By His Excellency’s Command

Sussan Ley

Minister for the Environment

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1 Name

 This instrument is the *Great Barrier Reef Marine Park Amendment (No-Anchoring Areas) Regulations 2021*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | 26 June 2021 |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under the *Great Barrier Reef Marine Park Act 1975*.

4 Schedules

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Great Barrier Reef Marine Park Regulations 2019

1 Subsection 5(1) (definition of *no-anchoring area*)

Repeal the definition, substitute:

***no-anchoring area*** means an area described in a declaration under paragraph (2)(b) of this section, as in force from time to time.

2 Section 166

Omit:

 (a) the Marine Park (such as taking animals into the Marine Park or littering); or

substitute:

 (a) the Marine Park (such as taking animals into the Marine Park, littering or dropping an anchor); or

3 At the end of Part 6

Add:

171A Contravention of anchoring restrictions

 (1) A person commits an offence of strict liability if the person drops an anchor for a vessel, an aircraft or any other facility in a no-anchoring area (other than a no-anchoring area that is in the Whitsunday Planning Area).

Note: Subclause 2.12(3) of the *Whitsundays Plan of Management 1998* prohibits a person from dropping an anchor in a no-anchoring area (as defined in this instrument) in the Whitsunday Planning Area. Section 234 of this instrument makes it an offence to contravene a provision of the Plan of Management.

Penalty: 50 penalty units.

 (2) The master of a vessel commits an offence of strict liability if any person on board the vessel drops an anchor for the vessel in a no-anchoring area.

Penalty: 50 penalty units.

4 Subsection 243(1) (table item 9)

Omit “subsections 171(1), (2), (3) and (4)”, substitute “subsection 171(1), (2), (3) or (4)”.

5 Subsection 243(1) (after table item 9)

Insert:

|  |  |  |
| --- | --- | --- |
| 9A | subsection 171A(1) or (2) (contravention of anchoring restrictions) | 3 |

6 Schedule 3

Repeal the Schedule.