

MARINE SAFETY - FEES AND PENALTIES

In accordance with the **Monetary Units Act 2004**, the value for **2019-20** is:
 Fee unit \$14.81
 Penalty unit \$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
 The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019	
		(\$)	Units	(\$)	Units
Marine Safety Act 2010					
24(1)	Duties of port management bodies and local port managers to ensure safety of marine safety infrastructure operations - (1) A port management body must, so far as is reasonably practicable, ensure the safety of marine safety infrastructure operations carried out by the port management body or supplied to that body In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
25(1)	Duty of Port of Melbourne operator to ensure safety of marine safety infrastructure operations - (1) A The Port of Melbourne operator must, so far as is reasonably practicable, ensure the safety of marine safety infrastructure operations carried out by the port management body or supplied to that body In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
25A(1)	Duties of persons who manage boating activity events (1) A person who manages a boating activity even trust, so far as is reasonably practicable, ensure the safety of participants in the boating activity event or persons affected by the boating activity event In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
26(1)	Safety duties in relation to design, manufacture and supply of vessels - (1) A person who designs, commissions, constructs, manufactures, supplies, maintains, repairs or modifies a vessel must - (a) ensure, so far as is reasonably practicable, that the vessel is safe if it is used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, maintained, repaired or modified; (b) carry out, or arrange the carrying out, of such testing and examination as may be necessary for compliance with this section; (c) in the case of a vessel to which paragraph (a) applies, take such action as is necessary to ensure that there will be available in connection with the use of the vessel adequate information about - (i) the use for which the vessel was designed, commissioned, constructed, manufactured, supplied, maintained, repaired or modified; and (ii) the results of any testing or examination referred to in paragraph (b); and (iii) any conditions necessary to ensure the vessel is safe if it is used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, maintained, repaired or modified In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
27(1)	Safety duties in relation to design, manufacture and supply of marine safety equipment - (1) A person who - (a) designs, commissions, constructs, manufactures, supplies, installs, maintains, repairs or modifies any thing; and (b) knows, or ought reasonably to know, that the thing is, or is to be used as, marine safety equipment - must - (c) ensure, so far as is reasonably practicable, that the thing is safe if it is used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, installed, maintained, repaired or modified; (d) carry out, or arrange the carrying out, of such testing and examination as may be necessary for compliance with this section; (e) in the case of a thing to which paragraph (c) applies, take such action as is necessary to ensure that there will be available in connection with the use of the thing adequate information about - (i) the use for which the thing was designed, commissioned, constructed, manufactured, supplied, installed, maintained, repaired or modified; and (ii) the results of any testing or examination referred to in paragraph (d); and (iii) any conditions necessary to ensure the thing is safe if it is used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, installed, maintained, repaired or modified In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
28(1)	Duties of suppliers of marine safety infrastructure operations to port management bodies - (1) A person who supplies marine safety infrastructure operations to a port management body must, so far as is reasonably practicable, ensure the safety of those operations. In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
29(1)	Duties of suppliers of vessel operations to owners of commercial vessels - (1) A person who is not a marine safety worker and who supplies vessel operations to an owner of a commercial vessel must, so far as is reasonably practicable, ensure the safety of those operations. In the case of a natural person In the case of a body corporate	n/a n/a	n/a n/a	\$297,396.00 \$1,486,980.00	1,800.00 9,000.00
30(1)	Duties of marine safety workers - (1) A marine safety worker, when carrying out marine safety work, must - (a) take reasonable care for his or her own safety; and (b) take reasonable care for the safety of persons who may be affected by the marine safety worker's acts or omissions; and (c) co-operate with the regulated entity employing or engaging them with respect to any action taken by the entity to comply with a requirement imposed by or under this Act or the regulations.	n/a n/a	n/a n/a	\$297,396.00 \$297,396.00	1,800.00 1,800.00
30(2)	Duties of marine safety workers - (2) A marine safety worker, when carrying out marine safety work, must not intentionally or recklessly interfere with or misuse anything provided to them by the regulated entity employing or engaging them - (a) in the interests of safety; or (b) under this Act or the regulations.	n/a	n/a	\$297,396.00	1,800.00
30(3)	Duties of marine safety workers - (3) A marine safety worker, when carrying out marine safety work, must not willfully or recklessly place the safety of another person on or in the immediate vicinity of marine safety infrastructure at risk.	n/a	n/a	\$297,396.00	1,800.00
31(1)	Masters of recreational vessels or hire and drive vessels must take reasonable care - (1) A master of a recreational vessel or hire and drive vessel must, when carrying out vessel operations - (a) take reasonable care for his or her own safety; and (b) take reasonable care for the safety of persons who may be affected by the master's acts or omissions.	n/a	n/a	\$9,913.00	60.00
31(2)	Masters of recreational vessels or hire and drive vessels must take reasonable care - (2) A master of a recreational vessel or hire and drive vessel, when carrying out vessel operations, must not willfully or recklessly place the safety of another person on board, or in the immediate vicinity of, the recreational vessel or hire and drive vessel at risk.	n/a	n/a	\$9,913.00	60.00
32(1)	Persons participating in the operation of a recreational vessel or hire and drive vessel must take reasonable care - (1) A person (other than the master of a recreational vessel or hire and drive vessel) who operates a recreational vessel or hire and drive vessel must, when doing so under the direction of the master of the recreational vessel or hire and drive vessel - (a) take reasonable care for his or her own safety; and (b) take reasonable care for the safety of persons who may be affected by his or her acts or omissions; and (c) comply with a direction of the master that the master has given to the person - (i) in order for the master to operate the vessel safely; or (ii) in order for the master or person to comply with a requirement imposed under this Act or the regulations.	n/a	n/a	\$4,131.00	25.00
32(2)	Persons participating in the operation of a recreational vessel or hire and drive vessel must take reasonable care - (2) A person (other than the master of a recreational vessel or hire and drive vessel) who operates a recreational vessel or hire and drive vessel must not intentionally or recklessly interfere with or misuse anything provided to them by the master - (a) in the interests of safety; or (b) in accordance with this Act or the regulations.	n/a	n/a	\$9,913.00	60.00
32(3)	Persons participating in the operation of a recreational vessel or hire and drive vessel must take reasonable care - (3) A person (other than the master of a recreational vessel or hire and drive vessel) who operates a recreational vessel or hire and drive vessel must not willfully or recklessly place the safety of another person on board, or in the immediate vicinity of, the recreational vessel or hire and drive vessel at risk.	n/a	n/a	\$9,913.00	60.00
33(1)	Passengers on board vessels must take reasonable care - (1) A passenger on board a vessel must - (a) take reasonable care for his or her own safety; and (b) comply with a direction of the master of the vessel that the master has given to the person - (i) in order for the master to operate the vessel safely; or (ii) in order for the master or passenger to comply with a requirement imposed under this Act or the regulations.	n/a	n/a	\$4,131.00	25.00
33(2)	Passengers on board vessels must take reasonable care - (2) A passenger on board a vessel must not intentionally or recklessly interfere with or misuse anything provided to them by the master of the vessel - (a) in the interests of safety; or (b) in accordance with this Act or the regulations.	n/a	n/a	\$9,913.00	60.00
33(3)	Passengers on board vessels must take reasonable care - (3) A passenger on board a vessel must not willfully or recklessly place the safety of another person on board, or in the immediate vicinity of, the vessel at risk.	n/a	n/a	\$9,913.00	60.00
37(1)	(1) An owner of a recreational vessel must not cause or allow the vessel to be operated on State waters unless that vessel is— (a) registered under this Part; or (b) exempted from registration— (i) by the regulations; or (ii) by a notice given by the Safety Director under section 260.	\$826.10	5.00	\$9,913.00	60.00
37(2)	(2) A master of a recreational vessel must not operate a recreational vessel on State waters unless that vessel— (a) is registered under this Part; or (b) exempted from registration— (i) by the regulations; or (ii) by a notice given by the Safety Director under section 260.	\$826.10	5.00	\$9,913.00	60.00
37(3)	(3) A person must not, being the owner or master of a recreational vessel— (a) cause or allow the vessel to be operated in breach of any condition of its registration; or (b) employ or engage a person to operate the vessel in breach of any condition of its registration.	\$330.44	2.00	\$9,913.00	60.00
46(1)	Offence to be a master of registered recreational vessel without a marine licence or in breach of conditions of marine licence - (1) A person must not be the master of a registered recreational vessel unless the person holds a marine licence.	\$826.10	5.00	\$3,304.00	20.00
46(2)	(2) A master of a registered recreational vessel must operate the vessel in accordance with any prescribed condition or any condition specified in the marine licence the master holds.	\$330.44	2.00	\$3,304.00	20.00
47(1)	Offence to be a master of prescribed type of registered recreational vessel without licence endorsement - (1)A person must not be the master of a prescribed class or type of registered recreational vessel unless the person has a licence endorsement for that class or type of vessel.	\$826.10	5.00	\$3,304.00	20.00
47(2)	(2) A master of a prescribed class or type of registered recreational vessel must operate the vessel in accordance with any prescribed condition or any condition specified in the licence endorsement for that class or type of vessel.	\$330.44	2.00	\$3,304.00	20.00
48(1)	Offence to be the master of a registered recreational vessel undertaking prescribed activity without licence endorsement - (1) A person must not be the master of a registered recreational vessel being used to undertake a prescribed type of activity unless the person has a licence endorsement in respect of that prescribed type of activity.	n/a	n/a	\$3,304.00	20.00

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Fee unit
Penalty unit

\$14.81
\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019	
		(\$)	Units	(\$)	Units
48(2)	(2) A master of a registered recreational vessel must operate the vessel in accordance with any prescribed condition or any condition specified in a licence endorsement referred to in subsection (1).	n/a	n/a	\$3,304.00	20.00
49(1)	Offence to be the master of a regulated hire and drive vessel without a marine licence or in breach of conditions of marine licence - (1) A person must not be the master of a regulated hire and drive vessel unless the person holds a marine licence.	\$826.10	5.00	\$3,304.00	20.00
49(2)	(2) A master of a regulated hire and drive vessel must operate the vessel in accordance with any prescribed condition or any condition specified in the marine licence the master holds.	\$330.44	2.00	\$3,304.00	20.00
50(1)	Offence to be the master of a prescribed type of regulated hire and drive vessel without licence endorsement - (1) A person must not be the master of a prescribed class or type of regulated hire and drive vessel unless the person has a licence endorsement for that class or type of vessel.	\$826.10	5.00	\$3,304.00	20.00
50(2)	(2) A master of a prescribed class or type of regulated hire and drive vessel must operate the vessel in accordance with any prescribed condition or any condition specified in the licence endorsement for that class or type of vessel.	\$330.44	2.00	\$3,304.00	20.00
51(1)	Offence to be the master of a regulated hire and drive vessel undertaking prescribed activity without licence endorsement - (1) A person must not be the master of a regulated hire and drive vessel being used to undertake a prescribed type of activity unless the person has a licence endorsement in respect of that prescribed type of activity.	n/a	n/a	\$3,304.00	20.00
51(2)	(2) A master of a regulated hire and drive vessel must operate the vessel in accordance with any prescribed condition or any condition specified in a licence endorsement referred to in subsection (1).	n/a	n/a	\$3,304.00	20.00
52(1)	Offence to allow a non-licensed person to be the master of a registered recreational vessel - (1) The owner of a registered recreational vessel must not cause or allow another person to be the master of that vessel unless that person is the holder of a marine licence.	n/a	n/a	\$1,652.00	10.00
59	59 Offence for overseas or interstate operator to fail to comply with the conditions of the licence or certificate - A person who is exempted under section 57 from the requirement to comply with Division 2 because the person holds an appropriate licence or certificate in another State, a Territory or country, must not be the master of a registered recreational vessel in breach of any condition of that licence or certificate.	\$330.44	2.00	\$3,304.00	20.00
60	Offence to be master of a registered recreational vessel while disqualified etc. - A person must not be a master of a registered recreational vessel while any marine licence granted to the person is suspended or during a period that the person is disqualified from obtaining a marine licence.	n/a	n/a	\$9,913.00	60.00
61	Offence not to have marine licence in person's possession - A person who holds a marine licence granted under this Part must have the licence in his or her possession while being the master of a registered recreational vessel.	\$165.22	1.00	\$826.00	5.00
80	Offence to navigate vessel without local knowledge certificate in waters requiring certificate - The master of a domestic commercial vessel must not— (a) enter or leave, or attempt to enter or leave, waters declared under section 81; or (b) navigate, or attempt to navigate, the vessel within waters declared under section 81— unless the master holds a local knowledge certificate in respect of those waters	\$330.44	2.00	\$19,826.00	120.00
85(5)	Detention of unsafe vessels - (5) The owner of a vessel must not cause or allow the vessel to be taken on a voyage if the owner knows that the vessel has been detained under this section and has not been duly released.	n/a	n/a	\$39,653.00	240.00
85(6)	The master of a vessel must not take the vessel on a voyage if the master knows that the vessel has been detained under this section and has not been duly released.	n/a	n/a	\$39,653.00	240.00
85(7)	(7) An agent for a vessel that has been detained under this section and not duly released must not assist the owner or master of the vessel to contravene this section.	n/a	n/a	\$39,653.00	240.00
85(8)	(8) A person must not obstruct or fail to comply with any reasonable requirement of a person appointed by the Safety Director to take charge of a vessel detained under this section in connection with the exercise of that person's functions.	n/a	n/a	\$9,913.00	60.00
87(1)	Dangerous operation of a recreational vessel, government vessel or hire and drive vessel - (1) A person must not operate a recreational vessel at a speed or in a manner which is dangerous to the public, having regard to all the circumstances in the case. Penalty: 240 penalty units or imprisonment for 2 years.	n/a	n/a	\$39,653.00	240.00
87(2A)	(2A) The master of a recreational hire and drive vessel must not operate the vessel at a speed or in a manner which is dangerous to the public, having regard to all the circumstances in the case. Penalty: 240 penalty units or imprisonment for 2 years.	n/a	n/a	\$39,653.00	240.00
87(3)	(3) The owner of a recreational vessel must not operate, or cause or allow a person to operate, the vessel if the owner knows that it is an unsafe vessel.	n/a	n/a	\$39,653.00	240.00
87(4)	(4) The master of a recreational vessel or recreational hire and drive vessel must not operate, or cause or allow a person to operate, the vessel if the master knows that it is an unsafe vessel.	n/a	n/a	\$39,653.00	240.00
88(1)	(1) A person must not, willfully or negligently— (a) do any act tending to the immediate loss or destruction of, or serious damage to, a vessel or its cargo; or (b) do any act tending immediately to endanger anyone belonging to or on board a vessel; or (c) fail to do any act that is reasonably necessary to protect a vessel or cargo from immediate loss, destruction or serious damage; or (d) fail to do any act that is reasonably necessary to protect anyone belonging to or on board a vessel from	n/a	n/a	\$39,653.00	240.00
89	Tampering with a vessel - A person must not, without just cause or excuse, tamper with a vessel that is owned by another person.	n/a	n/a	\$9,913.00	60.00
90(2)	Distress signals - (1) A vessel must be provided in accordance with the regulations with the means of making distress signals. (2) A person on board a vessel must not knowingly use or display or knowingly cause or permit any person under his or her authority to use or display any recognised distress signal except in the case of a vessel being in distress.	n/a	n/a	\$3,304.00	20.00
91(1)	Assistance to people in distress - (1) If a master of a vessel believes that any other person in the vicinity of the vessel is in distress, the master must, unless he or she is unable to do so or in the circumstances of the case he or she considers it unsafe, unreasonable or unnecessary to do so, cause his or her vessel to proceed with all practicable speed to the assistance of that other person.	n/a	n/a	\$9,913.00	60.00
92	Offence to fail to comply with direction of Safety Director regarding removal of vessel - A person must not, without reasonable excuse, refuse or fail to comply with a direction given to the person by the Safety Director under item 24 of Schedule 1.	n/a	n/a	\$19,826.00	120.00
93(3)	Reporting requirements in relation to reportable incidents - (3) If - (a) as a result of the reportable incident a person is killed or suffers serious injury; and (b) the master of the vessel knows or ought reasonably to have known that the reportable incident had occurred and had resulted in a person being killed or suffering serious injury; and (c) did not comply with subsection (2)(a) or (b) in relation to the reportable incident - the master of the vessel is guilty of an offence and liable to a penalty not exceeding 6 months imprisonment or 60 penalty units, or both.	n/a	n/a	\$9,913.00	60.00
93(4)	Reporting requirements in relation to reportable incidents - (4) If - (a) as a result of the reportable incident a person is killed or suffers serious injury; and (b) the master of the vessel does not comply with subsection (2)(c), (d) or (e) - the master is guilty of an offence and liable to a penalty not exceeding 60 penalty units.	n/a	n/a	\$9,913.00	60.00
93(5)	Reporting requirements in relation to reportable incidents - (5) If - (a) as a result of the reportable incident a person is injured; and (b) the master of the vessel does not comply with subsection (2) - the master is guilty of an offence and liable to a penalty not exceeding 60 penalty units.	n/a	n/a	\$9,913.00	60.00
93(6)	Reporting requirements in relation to reportable incidents - (6) If no person is killed or suffers injury as a result of the reportable incident and the master of the vessel does not comply with subsection (2), the master of the vessel is guilty of an offence and liable to a penalty not exceeding 10 penalty units.	n/a	n/a	\$1,652.00	10.00
94	Reporting of reportable incidents to Safety Director - The owner or master of a commercially operated vessel that is involved in a reportable incident must report, in writing, the full particulars of the incident to the Safety Director as soon as possible after the incident occurs.	n/a	n/a	\$1,652.00	10.00
96(2)	Regulations giving effect to Prevention of Collisions Convention - (2) A person must not contravene a regulation made under subsection (1) that applies to that person.	n/a	n/a	\$19,826.00	120.00
102(1)	Offence to supply vessel which does not comply with Australian Builders Plate Standard - (1) A person must not in trade or commerce supply a recreational vessel of a prescribed class that does not comply with the Australian Builders Plate Standard that applies (with or without modification by the regulations) to a vessel of that kind. In the case of a body corporate	n/a	n/a	\$0.00	
		n/a	n/a	\$39,653.00	240.00
		n/a	n/a	\$99,132.00	600.00
107(5)	Surrender of recreational vessel - (5) An owner or registered person served with a notice under subsection (1) must comply with the notice, unless the owner or registered person has a reasonable excuse	n/a	n/a	\$9,913.00	60.00
115(1)	Offences - (1) A person must not, except in accordance with this Part or section 267 or 268, move an impounded or immobilised recreational vessel or tamper with any equipment used to immobilise a recreational vessel.	n/a	n/a	\$9,913.00	60.00
115(3)	Offences - (3) A person must not obstruct or hinder a member of the police force in the valid exercise of a power under this Part.	n/a	n/a	\$9,913.00	60.00
118(4)	Impoundment or immobilisation order - (4) The owner or registered person of the recreational vessel must not, without reasonable excuse, fail to surrender the recreational vessel at the time and place specified in the order made under subsection (1).	n/a	n/a	\$9,913.00	60.00
119(4)	Forfeiture order - (4) The owner or registered person of the recreational vessel must not, without reasonable excuse, fail to surrender the recreational vessel at the time and place specified in the order made under subsection (1).	n/a	n/a	\$9,913.00	60.00
122(1)	Interest in recreational vessel not to be transferred - (1) A person on whom a notice is served under section 121(1) must not, before the application referred to in the notice is made and determined, or if an impoundment or immobilisation order or a forfeiture order is made, before the recreational vessel is seized under this Part, without the approval of the relevant court, sell or otherwise dispose of any interest in the recreational vessel that is the subject of the notice.	n/a	n/a	\$9,913.00	60.00
123(4)	Notice in case of 2 or more charges - (4) A person on whom a notice is served under subsection (1) must not, before the application referred to in the notice is made or determined or, if an impoundment or immobilisation order or a forfeiture order is made, before the recreational vessel is seized under this Part, without the approval of the relevant court, sell or otherwise dispose of any interest in the recreational vessel that is the subject of the notice.	n/a	n/a	\$9,913.00	60.00
143	Obstruction or hindrance of person executing search and seizure warrant - A person must not, without reasonable excuse, obstruct or hinder a person executing a search and seizure warrant.	n/a	n/a	\$9,913.00	60.00
154(4)	Power to issue embargo notices - (4) A person must not operate, or permit the operation of, a recreational vessel in contravention of a notice issued under subsection (1) in respect of that recreational vessel.	n/a	n/a	\$1,652.00	10.00

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Penalty unit

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\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019		
		(\$)	Units	(\$)	Units	
154(6)	Power to issue embargo notices - (6) A person must not remove a copy of a notice affixed to a recreational vessel under this section.	n/a	n/a	\$1,652.00	10.00	
155(2)	Police power to prohibit operation of vessels - (2) A person must not contravene the direction of a member of the police force or a transport safety officer under subsection (1)(a).	n/a	n/a	\$1,652.00	10.00	
155(3)	Police power to prohibit operation of vessels - (3) A person must not fail to comply with the direction of a member of the police force or a transport safety officer under subsection (1)(b).	n/a	n/a	\$826.00	5.00	
159(2)	Powers of entry in relation to lights - (2) A person on whom a notice under item 25 of Schedule 1 is served must comply with the notice.	n/a	n/a	\$9,913.00	60.00	
162	The master of a vessel on State waters must obey any direction that is given, by any means, by a police officer or a transport safety officer.	n/a	n/a	\$9,913.00	60.00	
162A(4)	(4) A person must not refuse or fail to allow a vessel, or equipment on a vessel, to be inspected under this section	Failing to allow a vessel on state waters or equipment on vessel to be inspected	\$330.44	2.00	\$9,913.00	60.00
162A(5)	(5) A person must not refuse or fail to comply with a direction under subsection (2)(b).	Failing to stop or manoeuvre a vessel and produce for inspection equipment specified in a direction.	\$330.44	2.00	\$9,913.00	60.00
162C(2)	(2) A person must not refuse or fail to comply with a direction under subsection (1).	Failing to provide information concerning the identity and the location of the owner or master of a vessel.	\$242.87	1.47	\$826.00	5.00
170(1)	Return of permission record - (1) A person whose permission has been cancelled or suspended under this Part must, not later than 7 days after the cancellation or suspension takes effect - (a) return the relevant permission record to the Safety Director; or (b) if the permission record has been lost, stolen or destroyed, give the Safety Director a statement, verified by a statutory declaration signed by or on behalf of the person, that the permission record has been lost, stolen or destroyed.		n/a	n/a	\$1,652.00	10.00
182	Offence to provide false or misleading information - A person must not in a statement given under section 178(1) or 179(1)(a) to an enforcement official provide information that the person knows to be false or misleading.		n/a	n/a	\$9,913.00	60.00
197	Offence to not comply with waterway rules - A person must not operate a vessel or use any waters in contravention of a waterway rule		n/a	n/a	\$3,304.00	20.00
197, cl.2(a) of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding 5 knots within 50 metres of another vessel	\$330.44	2.00	\$3,304.00	20.00
197, cl.2(b) of the Notice	Offence not to comply with waterway rules.	Offence not to comply with waterway rules. Operate a vessel at a speed exceeding 5 knots within 100 metres of a dive flag	\$330.44	2.00	\$3,304.00	20.00
197, cl.2(c) of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding 5 knots within 50 metres of another vessel	\$330.44	2.00	\$3,304.00	20.00
197, cl.3 of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding 5 knots within 50 metres of the water's edge or a structure	\$330.44	2.00	\$3,304.00	20.00
197, cl.4(a) of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding 5 knots within 200 metres of the water's edge except in an access lane	\$330.44	2.00	\$3,304.00	20.00
197, cl.4(b) of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding 5 knots within 50 metres of a wharf or similar structure except in an access lane	\$330.44	2.00	\$3,304.00	20.00
197, cl.4(c) of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding 5 knots when passing through an anchorage for small craft	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(1)(a) of the Notice	Offence not to comply with waterway rules.	Operate a vessel towing a water-skier at greater than 5 knots and depart from or return to the shore other than through an access lane	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(1)(b) of the Notice	Offence not to comply with waterway rules.	Engage in water-skiing at greater than 5 knots and depart from or return to the shore other than through an access lane	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(2) of the Notice	Offence not to comply with waterway rules.	Use an access lane other than for a purpose specified in cl. 6(2) of the Notice	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(3)(a) of the Notice	Offence not to comply with waterway rules.	Operate a vessel in an access lane at a speed greater than reasonably required	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(3)(b) of the Notice	Offence not to comply with waterway rules.	Operate a vessel in an access lane and fail to remove or beach vessel and secure equipment	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(3)(c) of the Notice	Offence not to comply with waterway rules.	Operate a vessel in an access lane and fail to keep right or left as required	\$330.44	2.00	\$3,304.00	20.00
197, cl.6(3)(d) of the Notice	Offence not to comply with waterway rules.	Operate a vessel in an access lane and fail to give way	\$330.44	2.00	\$3,304.00	20.00
197, cl.7 of the Notice	Offence not to comply with waterway rules.	Operate a vessel at a speed exceeding the speed limit specified in the Notice for the area of water	\$330.44	2.00	\$3,304.00	20.00
197, cl.8 of the Notice	Offence not to comply with waterway rules.	Enter prohibited area towing water skier or when water-skiing	\$330.44	2.00	\$3,304.00	20.00
197, cl.9 of the Notice	Offence not to comply with waterway rules.	Operate a vessel in a prohibited area	\$330.44	2.00	\$3,304.00	20.00
197, cl.10 of the Notice	Offence not to comply with waterway rules.	Operate a vessel with an engine in a prohibited area	\$330.44	2.00	\$3,304.00	20.00
197, cl.11 of the Notice	Offence not to comply with waterway rules.	Fail to operate vessel in a manner which creates minimal or no wash in a no-wash zone	\$330.44	2.00	\$3,304.00	20.00
197, cl.12 of the Notice	Offence not to comply with waterway rules.	Operate a vessel or engage in an activity in a prohibited area of water.	\$330.44	2.00	\$3,304.00	20.00
197, cl.13 of the Notice	Offence not to comply with waterway rules.	Use waters contrary to conditions of use specified in a notice	\$330.44	2.00	\$3,304.00	20.00
197, cl.14 of the Notice	Offence not to comply with waterway rules.	Operate a vessel with an engine in a direction other than as permitted by the Notice in inland waters	\$330.44	2.00	\$3,304.00	20.00
197, cl.15 of the Notice	Offence not to comply with waterway rules.	Fail to give way to other vessel when departing from shore on a vessel with an engine	\$330.44	2.00	\$3,304.00	20.00
197, cl.16 of the Notice	Offence not to comply with waterway rules.	Bathe within 50 metres of a launching ramp being used or about to be used or an access lane	\$330.44	2.00	\$3,304.00	20.00
197, cl.17 of the Notice	Offence not to comply with waterway rules.	Operate a sailboat in contravention of cl. 17 of the Notice	\$330.44	2.00	\$3,304.00	20.00
197, cl.19(b) of the Notice	Offence not to comply with waterway rules.	Operate a vessel towing more than 3 water-skiers	\$330.44	2.00	\$3,304.00	20.00
197, cl.19(c) of the Notice	Offence not to comply with waterway rules.	Operate a vessel towing a water-skier between one hour after sunset and one hour before sunrise	\$330.44	2.00	\$3,304.00	20.00
197, cl.22 of the Notice	Offence not to comply with waterway rules.	Operate a recreational or hire and drive vessel engaged in diving operations without exhibiting a flag indicating diver below that complies with the Notice	\$330.44	2.00	\$3,304.00	20.00
197, cl.23 of the Notice	Offence not to comply with waterway rules.	Engage in diving without a buoy or flag displayed that complies with the Notice	\$330.44	2.00	\$3,304.00	20.00
197, cl.23A of the Notice	Offence not to comply with waterway rules.	Permit vessel to be moored or secured to navigation marker, beacon, buoy, pole or post	\$330.44	2.00	\$3,304.00	20.00
197, cl.23B of the Notice	Offence not to comply with waterway rules.	Allow vessel to be anchored in a channel that is marked with beacons or buoys	\$330.44	2.00	\$3,304.00	20.00
202	Offence to fail to comply with standard determined under this Part - A port management body, local port manager or waterway manager must comply with a standard determined under section 199.		n/a	n/a	\$19,826.00	120.00
207(1)	Compliance with declarations that modify or provide for other requirements to apply - (1) If a declaration under section 203 modifies the application of a provision of this Act, the regulations, the waterway rules, or the regulations made under the Port Management Act 1995, a person to whom the declaration applies must comply with the provision as modified.		n/a	n/a	\$9,913.00	60.00
207(2)	Compliance with declarations that modify or provide for other requirements to apply - (2) If a declaration under section 203 provides for a requirement specified in the declaration to be complied with, a person to whom the declaration applies must comply with that requirement.		n/a	n/a	\$9,913.00	60.00
210(1)	Compliance with activity exclusion zones - (1) A person to whom a notice under section 208(1) or (2) applies must not enter or remain in the waters to which that notice applies unless the person has a reasonable excuse.		n/a	n/a	\$9,913.00	60.00
210(2)	Compliance with activity exclusion zones - (2) A master of a vessel to which a notice under section 208(1) or (2) applies must not allow the vessel to enter or remain in the waters to which that notice applies unless the person has a reasonable excuse.		n/a	n/a	\$9,913.00	60.00
213	Compliance with a direction of applicable regulatory entity - A master of a vessel given a direction by an applicable regulatory entity under section 211(1)(a) must comply with that direction unless the master has a reasonable excuse.		n/a	n/a	\$9,913.00	60.00
214	Compliance with notice - A person must comply with a notice under subsection 211(1)(b)(i) or (ii) unless the person has a reasonable excuse.		n/a	n/a	\$9,913.00	60.00
215(5)	Emergency directions - (5) A person given a direction under subsection (2) must comply with the direction unless the person has a reasonable excuse.		n/a	n/a	\$9,913.00	60.00
220(1)	Certain entities must engage harbour masters - (1) The Port of Melbourne Corporation must ensure that a licensed harbour master is at all times engaged for the port of Melbourne waters.		n/a	n/a	\$19,826.00	120.00
220(1A)	Certain entities must engage harbour masters - (1A) The Victorian Regional Channels Authority must ensure that a licensed harbour master is at all times engaged for port of Hastings waters.		n/a	n/a	\$19,826.00	120.00
220(2)	Certain entities must engage harbour masters - (2) The Victorian Regional Channels Authority must ensure that a licensed harbour master is at all times engaged for the waters declared under section 5 of the Port Management Act 1995 to be the waters of the port of Geelong.		n/a	n/a	\$19,826.00	120.00
220(3)	Certain entities must engage harbour masters - (3) The Victorian Regional Channels Authority must ensure that a licensed harbour master is at all times engaged for the waters declared under section 5 of the Port Management Act 1995 to be the waters of the port of Portland.		n/a	n/a	\$19,826.00	120.00
220(4)	Certain entities must engage harbour masters - (4) A local port manager must ensure that a licensed harbour master is at all times engaged for any part of the waters under the control of that manager in respect of which the Safety Director has determined that a licensed harbour master is required to be engaged.		n/a	n/a	\$9,913.00	60.00
220(5)	Certain entities must engage harbour masters - (5) A waterway manager must ensure that a licensed harbour master is at all times engaged for any part of the waters under the control of that manager in respect of which the Safety Director has determined that a licensed harbour master is required to be engaged.		n/a	n/a	\$9,913.00	60.00
221(3)	Identity cards - (3) A harbour master must produce his or her identity card - (a) before exercising a function under this Chapter, other than the giving of a direction by radio or other electronic communication device; and (b) if requested to do so, in the course of exercising a function under this Chapter, other than the giving of a direction by radio or other electronic communication device.		n/a	n/a	\$826.00	5.00
221(5)	Identity cards - (5) A person who has been issued with an identity card must return it to the Safety Director, or the person who issued it, on demand.		n/a	n/a	\$826.00	5.00

MARINE SAFETY - FEES AND PENALTIES

In accordance with the **Monetary Units Act 2004**, the value for **2019-20** is:
Fee unit
Penalty unit

\$14.81
\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019		
		(\$)	Units	(\$)	Units	
222	Person must not act as a harbour master without harbour master licence - A person must not act as the harbour master for any port waters or other State waters in relation to which a licensed harbour master is required to be engaged under section 220 unless he or she holds a licence that is in effect.	n/a	n/a	\$9,913.00	60.00	
237(1)	Offence to fail to comply with direction or obstruct, harbour master - (1) The master of a vessel must not, without reasonable excuse, refuse or fail to comply with - (a) any direction given under this Chapter to the master by a harbour master; or (b) any direction in the regulations.	n/a	n/a	\$19,826.00	120.00	
237(2)	Offence to fail to comply with direction or obstruct, harbour master - (2) A person must not, without reasonable excuse, obstruct a harbour master (or a person acting under the direction of a harbour master) performing a function or exercising any power under this Chapter.	n/a	n/a	\$9,913.00	60.00	
239	Offence to provide pilotage services without registration - A person must not provide pilotage services unless that person is, or is employed or engaged by, a pilotage services provider registered under this Part In the case of a natural person In the case of a body corporate	n/a	n/a	\$3,304.00	20.00	
245	Requirement to notify the Safety Director of changes to registration information - A pilotage services provider must notify the Safety Director within 14 days after any change to information recorded in a certificate of registration.	n/a	n/a	\$9,913.00	60.00	
246	Records to be kept - A pilotage services provider must keep records containing the following information - (a) the name and licence number of each pilot employed or engaged by the provider, or if the provider holds a pilot licence, the number of that licence; and (b) the number of hours worked by each pilot in any period of 24 hours, indicating the starting and finishing times for work and rest; and (c) the annual recreation leave taken by each pilot; and (d) any other information that is prescribed.	n/a	n/a	\$826.00	5.00	
247	Records to be kept - A pilotage services provider must keep records containing the following information - (a) the name and licence number of each pilot employed or engaged by the provider, or if the provider holds a pilot licence, the number of that licence; and (b) the number of hours worked by each pilot in any period of 24 hours, indicating the starting and finishing times for work and rest; and (c) the annual recreation leave taken by each pilot; and (d) any other information that is prescribed.	n/a	n/a	\$3,304.00	20.00	
247	Offence to fail to comply with safety standards - A pilotage services provider must comply with the prescribed safety standards that apply to the provider	n/a	n/a	\$9,913.00	60.00	
248(1)	Offence to not to use a pilot - (1) The master of a vessel must not - (a) enter or leave pilot required waters or attempt to enter or leave pilot required waters; or (b) navigate the vessel within pilot required waters or attempt to do so - without using the services of a licensed pilot.	n/a	n/a	\$19,826.00	120.00	
249	Offence to act as a pilot without a pilot licence or pilot exemption - A person must not act as a pilot unless that person - (a) holds a pilot licence granted by the Safety Director under this Part that is in effect; or (b) is a master who holds a pilot exemption granted under this Part that is in effect.	n/a	n/a	\$19,826.00	120.00	
267(4)	Order to remove obstructions in navigable waters - (4) The person to whom the direction is given must comply with the direction within the time specified in the direction, unless the person has a reasonable excuse for not doing so.	n/a	n/a	\$9,913.00	60.00	
269(4)	Power to prohibit operation of particular vessel - (4) A person must not operate a vessel in contravention of a direction made under subsection (1) or (2).	n/a	n/a	\$9,913.00	60.00	
271B	Offence to provide prescribed service unless accredited - A person must not provide a prescribed service unless that person is accredited under this Division.	n/a	n/a	\$9,913.00	60.00	
271C	Offence to breach condition of accreditation - A person must not breach the conditions of an accreditation granted to that person.	n/a	n/a	\$9,913.00	60.00	
298H	Offence to use or disclose relevant information without authorisation- Unless authorised under this Part, the Safety Director or a relevant person must not - (a) disclose relevant information; or (b) use the person's knowledge of relevant information.	n/a	n/a	\$19,826.00	120.00	
301(1)	Forgery etc. of documents and identification marks - (1) A person must not - (a) forge; or (b) fraudulently alter or use; or (c) fraudulently lend or allow to be used by another person - any notice, certificate, licence or other document, or any identification number or identifying mark, that is authorised, issued or required by or under this Act.	n/a	n/a	\$9,913.00	60.00	
301(2)	Forgery etc. of documents and identification marks - (2) A person must not, otherwise than in accordance with this Act, make, use, knowingly have custody or possession of, sell or alter any paper or other material purporting to be a notice, certificate, licence or other document, or any identification number or identifying mark, that is authorised, issued or required by or under this Act.	n/a	n/a	\$9,913.00	60.00	
302(1)	Offence to interfere etc. with navigation aid - (1) A person must not, without lawful authority, wilfully or negligently interfere or tamper with, or obstruct the use or operation of, a navigation aid.	n/a	n/a	\$198,264.00	1,200.00	
303(2)	Offence to obstruct authorised person - (2) A person must not - (a) obstruct, hinder, impede or oppose an authorised person who is performing a duty or function, or exercising a power, under this Act or the regulations, or induce or attempt to induce any other person to do so; or (b) prevent or attempt to prevent any other person from assisting an authorised person.	n/a	n/a	\$9,913.00	60.00	
304(2)	Offence to offer or accept bribes - (2) A person must not, directly or indirectly, give or offer to give, cause to be given or attempt to give any bribe to a relevant person for the purpose of influencing the relevant person to perform or exercise his or her duties in a manner that he or she would not usually perform his or her duties.	n/a	n/a	\$198,264.00	1,200.00	
304(3)	Offence to offer or accept bribes - (3) A relevant person must not accept a bribe to perform his or her duties in a manner that he or she would not usually perform his or her duties.	n/a	n/a	\$198,264.00	1,200.00	
305(1)	Obtaining licence etc. by false statements - (1) A person must not - (a) by any false statement or any misrepresentation or other dishonest means obtain or attempt to obtain any notice, certificate, licence, registration or other document, or any identifying number or general identification mark that is authorised, issued or required by or under this Act; or (b) without lawful authority or excuse possess any notice, certificate, licence, registration or other document so obtained.	n/a	n/a	\$9,913.00	60.00	
Marine Safety Regulations 2012						
9(3)	A person to whom an exemption applies must comply with any conditions imposed on the exemption.			\$1,652.00	10.00	
15	A registered person must, in respect of the vessel registered in the registered person's name, notify the Safety Director in writing within 28 days after any changes to the details of the vessel given under regulation 11(2)(d).	Failing to notify the Safety Director of a change of details to the vessel provided under regulations 11(2)(d)	\$165.22	1.00	\$3,304.00	20.00
16	A registered person must notify the Safety Director in writing, about any change to the following within 14 days after the change— (a) the name of the registered person; (b) the residential address of the registered person; (c) the postal address or address for service of notices for the registered person.	Failing to notify the Safety Director of a change of name or address of registered person.	\$165.22	1.00	\$3,304.00	20.00
17	For the purposes of section 39 of the Act, a person who disposes of a vessel registered in the person's name must, within 14 days after disposing of the vessel— (a) complete and sign the relevant section of an application for transfer of registration in the form approved for that purpose by the Safety Director; and (b) give the person who acquires the vessel the application for transfer of registration.	Transfer of registration of a vessel—obligations of person disposing of vessel	\$165.22	1.00	\$3,304.00	20.00
18	A person who acquires a registered vessel must, within 14 days after the acquisition of the vessel— (a) complete and sign the relevant section of an application for transfer of registration in the form approved for that purpose by the Safety Director; and (b) give the Safety Director the completed application for transfer of registration; and (c) pay the fee specified under regulation 137.	As person acquiring registered vessel, fail to comply with transfer requirements.	\$165.22	1.00	\$3,304.00	20.00
24(2)	(2) The owner of a registered recreational vessel must ensure that the registration label issued by the Safety Director under subregulation (1) for that vessel is fixed and remains fixed in a conspicuous position on the outside or upper part of the vessel.	As owner of a registered recreational vessel, fail to fix registration label in conspicuous position.	\$165.22	1.00	\$3,304.00	20.00
24(3)	(3) The owner of a registered recreational vessel that is not a personal watercraft must ensure that the identification mark that is assigned by the Safety Director for that vessel is painted or displayed in appropriate characters— (a) on each side of the hull of the vessel; and (b) forward of the beam; and (c) so that the highest part of each digit commences at a point no more than 75 millimetres below the gunwale.	As owner of a registered recreational vessel that is not a personal watercraft, fail to ensure identification mark is painted or displayed in certain positions on vessel.	\$330.44	2.00	\$3,304.00	20.00
24(5)	(5) The owner of a registered recreational vessel that is a personal watercraft must ensure that the identification mark that is assigned by the Safety Director for that vessel is painted or displayed in appropriate characters— (a) on each side of the hull of the vessel; and (b) forward of the beam; and (c) so that the highest part of each digit commences at a point no more than 25 millimetres below the gunwale.	As owner of a registered recreational vessel that is a personal watercraft, fail to ensure identification mark is painted or displayed in certain positions on vessel.	\$330.44	2.00	\$3,304.00	20.00
24(7)	(7) A person must not act as the master of a registered vessel on State waters unless an identification mark is painted or displayed on the vessel in accordance with subregulation (3) or (5).	Act as master of a registered vessel without identification mark displayed.	\$330.44	2.00	\$1,652.00	10.00
26(1)	(1) A person issued with a special identification plate under regulation 25 must— (a) ensure at all times that the special identification plate is displayed on the vessel for which the plate has been issued; and (b) not use, or allow the vessel to be used, for any purposes other than— (i) operating the vessel from place to place while the vessel is in the process of manufacture or repair; or (ii) operating the vessel from the place of manufacture to the place where it will be offered for sale; or (iii) testing the vessel; or (iv) demonstrating the vessel to a purchaser or prospective purchaser; or (v) delivering the vessel for or after sale; or (vi) carrying out repairs to the vessel; or (vii) returning the vessel to its owner after it has been repaired; and (c) not allow the vessel to be operated by a person other than— (i) the person issued with the special identification plate; or (ii) an employee of the person issued with the special identification plate; or (iii) a person under the direct supervision of either the person issued with the special identification plate or an employee of the person issued with the special identification plate; and (d) ensure that the special identification plate is fixed to the vessel where it can be easily seen; and (e) keep at the person's office or place of business a record which contains the personal particulars of each person		n/a	n/a	\$1,652.00	10.00
26(2)	(2) A person issued with a special identification plate under regulation 25 must not enter any personal particulars which he or she knows, or should reasonably know, to be false in any records kept under subregulation (1)(e).		n/a	n/a	\$1,652.00	10.00
51(3)	(3) The holder of a marine licence that is subject to conditions must carry, while operating a regulated recreational vessel, a notice issued by the Safety Director containing a full explanation of those conditions, if required by the Safety Director to do so.		n/a	n/a	\$1,652.00	10.00

MARINE SAFETY - FEES AND PENALTIES

In accordance with the *Monetary Units Act 2004*, the value for **2019-20** is:
Fee unit
Penalty unit

\$14.81
\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019		
		(\$)	Units	(\$)	Units	
53 Change of name or address - (1) The holder of a marine licence must notify the Safety Director in writing, not more than 14 days after the change, about any change in his or her— (a) name; or (b) residential address; or (c) postal address or address for service of notices				\$1,652.00	10.00	
54 The holder of a marine licence must, as soon as practicable, notify the Safety Director of any permanent or long-term injury or illness that may impair his or her ability to operate a registered recreational vessel or a regulated hire and drive vessel safely.	Notification of illness or injury	n/a	n/a	\$1,652.00	10.00	
91(1) (1) The master of a recreational vessel or a recreational hire and drive vessel must not permit the vessel to be fuelled at a wharf, jetty or pier if there are passengers on board the vessel.	As master of a recreational hire and drive vessel, permit vessel to be fuelled at wharf, jetty or pier with passengers on board.	\$330.44	2.00	\$3,304.00	20.00	
91(2) (2) The master of a recreational vessel or a recreational hire and drive vessel must not permit the vessel to be restarted after being fuelled at a wharf, jetty or pier if there are passengers on board the vessel.	As master of a recreational hire and drive vessel, permit vessel to be restarted after being refuelled at wharf, jetty or pier with passengers on board.	\$330.44	2.00	\$3,304.00	20.00	
92(1) (1) A person must not act as the master of a recreational vessel or a recreational hire and drive vessel that is overloaded as specified in subregulation (2).	Act as master of an overloaded recreational vessel or regulated hire and drive vessel.	\$330.44	2.00	\$3,304.00	20.00	
93 A person must not act as the master of a recreational vessel or a recreational hire and drive vessel fitted with a flying bridge if the number of persons being carried on the flying bridge exceeds one quarter of the number of people (rounded up to the nearest whole number) permitted to be carried on the vessel under regulation 92(2).	Act as master of recreational vessel or regulated hire and drive vessel with overloaded flybridge.	\$330.44	2.00	\$3,304.00	20.00	
94(1) (1) The master of a recreational hire and drive vessel, must not allow the vessel to move outside the geographical limits of operation specified in the safe operation certificate for the vessel.	Act as master of recreational vessel or regulated hire and drive vessel, permit vessel to go outside limits specified in safe operations certificate.	\$330.44	2.00	\$1,652.00	10.00	
95 A person must not act as the master of a vessel engaged in towing a person on any State waters unless in addition to the master there is on board the vessel a person who is in a position to— (a) observe the person being towed; and (b) communicate with the master of the vessel.	As master of a vessel, tow a person without using an observer.	\$330.44	2.00	\$1,652.00	10.00	
96(1)(2) (in coastal waters), (4) (6) (in enclosed or inland waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (2) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table B in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (4) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table D in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (6) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table F in Schedule 3 in inland waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required type or quantity of personal flotation devices	\$330.44	2.00	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of anchors, and chains or lines	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters) and (5) (in inland waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (5) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table E in Schedule 3 in inland waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of electric or manual bilge pumping systems	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters) and (5) (in inland waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (5) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table E in Schedule 3 in inland waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of ballers	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of compasses	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of buckets with lanyards	\$206.53	1.25	\$3,304.00	20.00
96(2) (in coastal waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of marine radios	\$330.44	2.00	\$3,304.00	20.00
96(1) (in coastal waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of red star parachute distress rockets	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters)	Act as master of a recreational vessel that is not equipped with the required quantity of hand held orange smoke signals	\$206.53	1.25	\$3,304.00	20.00	
96(1) (in coastal waters), (3) (in enclosed waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of hand held red distress flares	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of oars and rowlocks, pairs of oars and rowlocks, pairs of paddles or spare paddles.	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters) and (5) (in inland waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (5) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table E in Schedule 3 in inland waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of waterproof buoyant torches.	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters), (3) (in enclosed waters) and (5) (in inland waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (3) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table C in Schedule 3 in enclosed waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. (5) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table E in Schedule 3 in inland waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4.	Act as master of a recreational vessel that is not equipped with the required quantity of lifebuoys.	\$206.53	1.25	\$3,304.00	20.00
96(1) (in coastal waters)	(1) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table A in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. Penalty: 20 penalty units.	Act as master of a recreational vessel that is not equipped with the required quantity of dinghies or life rafts.	\$206.53	1.25	\$3,304.00	20.00
96(8)	(8) A person must not be the master of a recreational vessel unless each item of equipment that is required to be carried on board the vessel under subregulations (1), (2), (3), (4), (5) and (6) complies with the requirements specified in Table G in Schedule 3 for that item of equipment. Penalty: 20 penalty units.	Hand-held orange smoke signals, hand-held red distress flares and red star parachute distress rockets kept on the vessel for use must not exceed the manufacturer's expiry date including an EPIRB.	\$206.53	1.25	\$3,304.00	20.00
96(2) (in coastal waters)	(2) A person must not be the master of a recreational vessel of a class specified in Column 2 of Table B in Schedule 3 in coastal waters unless the vessel is equipped with the items of equipment listed in Column 3 for that vessel in the quantity specified opposite in Column 4. Penalty: 20 penalty units.	Act as master of a recreational vessel that is not equipped with the required quantity of EPIRBs if more than the 2 nautical miles from the coast.	\$330.44	2.00	\$3,304.00	20.00
97(1)(a)	(1) The master of a recreational vessel (other than a personal watercraft) that carries fuel on board, or that is equipped with an electric start motor, gas installation or fuel stove, must ensure that— (a) the vessel is equipped with the number of portable fire extinguishers specified in Column 2 of Table H in Schedule 3 for the size of the vessel specified opposite in Column 1	As master of a recreational vessel other than a personal watercraft, fail to ensure that the vessel has the required number of portable fire extinguishers.	\$206.53	1.25	\$3,304.00	20.00
97(1)(b)	(1) The master of a recreational vessel (other than a personal watercraft) that carries fuel on board, or that is equipped with an electric start motor, gas installation or fuel stove, must ensure that— (b) at least one of those portable fire extinguishers is of the minimum nominal capacity specified in Column 2 of Table I in Schedule 3 for the volume of flammable or combustible liquids that is able to be carried on the vessel specified opposite in Column 1.	As master of a recreational vessel other than a personal watercraft, fail to ensure that the vessel has a portable fire extinguisher that has the required minimum nominal capacity.	\$206.53	1.25	\$3,304.00	20.00

MARINE SAFETY - FEES AND PENALTIES

In accordance with the **Monetary Units Act 2004**, the value for **2019-20** is:
Fee unit
Penalty unit

\$14.81
\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019	
		(\$)	Units	(\$)	Units
97(3)	(3) The master of a vessel specified under subregulation (1) that has cooking facilities located within an enclosed space on the vessel must ensure that a fire blanket is— (a) positioned in a conspicuous location; and (b) is readily accessible to a person using the cooking facilities.	n/a	n/a	\$2,478.00	15.00
98(1)	(1) The master of a vessel that is required to be equipped with portable fire extinguishers under regulation 97(1) must ensure that one of the portable fire extinguishers is— (a) positioned adjacent to the engine and fuel carrying spaces of the vessel; and (b) readily accessible.	n/a	n/a	\$2,478.00	15.00
98(3)	(3) The master of a recreational vessel that is required under regulation 97(1) to carry more than one fire extinguisher must ensure that each fire extinguisher is located in a separate position on the vessel.	\$206.53	1.25	\$2,478.00	15.00
99(1)	(1) A person must not act as the master of a recreational vessel unless all items of safety equipment and fire fighting equipment required to be carried on board the vessel under regulations 96 and 97 are— (a) placed or located in a conspicuous and readily accessible position at all times; and (b) are kept in good order at all times.	n/a	n/a	\$2,478.00	15.00
99(2)	(2) The owner of a recreational vessel must not cause or allow the vessel to be operated unless all items of safety equipment and fire fighting equipment required to be carried on board the vessel under regulations 96 and 97 are maintained or serviced in a way that ensures that they are able to operate at all times in the way that they were designed to operate.	\$206.53	1.25	\$2,478.00	15.00
99(3)	(3) The owner of a recreational vessel must not cause or allow the vessel to be operated unless all items of safety equipment and fire fighting equipment required to be carried on board the vessel under regulations 96 and 97 are serviced on or before the date specified by the manufacturer for that item of equipment.	\$206.53	1.25	\$2,478.00	15.00
100(1)	(1) A person who is on an open area of a recreational vessel or hire and drive vessel of a type listed in Column 2 of Table A in Schedule 4 must wear a personal flotation device of a type specified in Column 3 of the Table opposite that type of vessel at all times when the vessel is underway on coastal waters.	\$330.44	2.00	\$3,304.00	20.00
100(2)	(2) A person who is on an open area of a recreational vessel or hire and drive vessel of a type listed in Column 2 of Table B in Schedule 4 must wear a personal flotation device of a type specified in Column 3 of the Table opposite that type of vessel at all times when the vessel is underway on enclosed waters.	\$330.44	2.00	\$3,304.00	20.00
100(3)	(3) A person who is on an open area of a recreational vessel or hire and drive vessel of a type listed in Column 2 of Table C in Schedule 4 must wear a personal flotation device of a type specified in Column 3 of the Table opposite that type of vessel at all times when the vessel is underway on inland waters.	\$330.44	2.00	\$3,304.00	20.00
101(1) (coastal waters). (Circumstances described in r.101(4)(a)(b)(c)-(d) or (e))	(1) A person who is on an open area of a recreational vessel or a hire and drive vessel of a type listed in Column 2 of Table D in Schedule 4 must wear a personal flotation device of a type specified in Column 3 of the Table opposite that type of vessel if— (a) the vessel is on coastal waters and underway; and (b) the specified circumstances apply.	\$330.44	2.00	\$3,304.00	20.00
101(2) (enclosed waters). (Circumstances described in r.101(4)(a)(b)(c)-(d) or (e))	(2) A person who is on an open area of a recreational vessel or a hire and drive vessel of a type listed in Column 2 of Table E in Schedule 4 must wear a personal flotation device of a type specified in Column 3 of the Table opposite that type of vessel if— (a) the vessel is on enclosed waters and underway; and (b) the specified circumstances apply.	\$330.44	2.00	\$3,304.00	20.00
101(3) (inland waters). (Circumstances described in r.101(4)(a)(b)(c)-(d) or (e))	(3) A person who is on an open area of a recreational vessel or a hire and drive vessel of a type listed in Column 2 of Table F in Schedule 4 must wear a personal flotation device of a type specified in Column 3 of the Table opposite that type of vessel if— (a) the vessel is on inland waters and underway; and (b) the specified circumstances apply.	\$330.44	2.00	\$3,304.00	20.00
102(1)	(1) The master of a recreational vessel or a hire and drive vessel of a type listed in Column 2 of Table A or Table D in Schedule 4 must ensure that every person aged less than 10 years old who is on an open area of the vessel wears, at all times, a personal flotation device that is of a type specified in Column 3 of Table A or Table D opposite that type of vessel when the vessel is underway on coastal waters.	\$330.44	2.00	\$3,304.00	20.00
102(2)	(2) The master of a recreational vessel or a hire and drive vessel of a type listed in Column 2 of Table B or Table E in Schedule 4 must ensure that every person aged less than 10 years old who is on an open area of the vessel wears, at all times, a personal flotation device that is of a type specified in Column 3 of Table B or Table E opposite that type of vessel when the vessel is underway on enclosed waters.	\$330.44	2.00	\$3,304.00	20.00
102(3)	(3) The master of a recreational vessel or a hire and drive vessel of a type listed in Column 2 of Table C or Table F in Schedule 4 must ensure that every person aged less than 10 years old who is on an open area of the vessel wears, at all times, a personal flotation device that is of a type specified in Column 3 of Table C or Table F opposite that type of vessel when the vessel is underway on inland waters.	\$330.44	2.00	\$3,304.00	20.00
103	A person who is being towed by a vessel must, at all times, wear a personal flotation device.	\$330.44	2.00	\$3,304.00	20.00
104(1)	(1) The master of a recreational vessel or a hire and drive vessel must not cause or allow the vessel to be operated unless each person on board complies with regulation 100 or 101 (as the case may be).	\$330.44	2.00	\$3,304.00	20.00
104(2)	(2) The master of a recreational vessel must not cause or allow the vessel to tow a person unless the person is wearing a personal flotation device.	\$330.44	2.00	\$3,304.00	20.00
107	The master of a domestic commercial vessel on State waters must not contravene any provision of the Prevention of Collisions Convention	n/a	n/a	\$19,826.00	120.00
109	The master of a recreational vessel or a regulated hire and drive vessel on State waters must not contravene any provision of the Prevention of Collisions Convention	n/a	n/a	\$3,304.00	20.00
110(1)	(1) The master of a power-driven vessel of 50 metres or more in length underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays— (a) sidelights; and (b) two masthead lights, one higher and abaft the other; and (c) a sternlight.	\$330.44	2.00	\$3,304.00	20.00
110(2)	(2) The master of a power-driven vessel of 12 metres or more but less than 50 metres in length underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays— (a) sidelights; and (b) a masthead light; and (c) a sternlight.	\$330.44	2.00	\$3,304.00	20.00
110(3)	(3) The master of a power-driven vessel of less than 12 metres in length underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays— (a) the lights specified in subregulation (2)(a), (b) and (c); or (b) sidelights and a white all-round light.	\$330.44	2.00	\$3,304.00	20.00
110(4)	(4) The master of a power-driven vessel of less than 7 metres in length whose maximum speed does not exceed 7 knots underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays— (a) the lights specified in subregulation (2)(a), (b) and (c); or (b) a white all-round light.	\$330.44	2.00	\$3,304.00	20.00
110(5)	(5) The master of a sailing vessel of 7 metres or more in length underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays— (a) sidelights; and (b) a sternlight.	\$330.44	2.00	\$3,304.00	20.00
110(6)	(6) The master of a sailing vessel of less than 7 metres in length underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays either— (a) sidelights and a sternlight; or (b) a torch or lighted lantern showing white light.	\$330.44	2.00	\$3,304.00	20.00
110(7)	(7) The master of a vessel under oars underway between sunset and sunrise or during a period of restricted visibility must ensure that the vessel displays either— (a) sidelights and a sternlight; or (b) a torch or lighted lantern showing white light.	\$330.44	2.00	\$3,304.00	20.00
110(8)	(8) The master of a vessel of less than 50 metres in length at anchor between sunset and sunrise must ensure that the vessel displays a white all-round light.	\$330.44	2.00	\$3,304.00	20.00
110(9)	(9) The master of a vessel of 50 metres or more in length at anchor between sunset and sunrise must ensure that the vessel displays— (a) a white all-round light at the bow; and (b) a white all-round light at the stern.	\$330.44	2.00	\$3,304.00	20.00
111(1)	(1) The master of a vessel underway in a channel or fairway must ensure that the vessel keeps to the right of the centre of the channel or fairway.	\$330.44	2.00	\$3,304.00	20.00
111(2)	(2) The master of a vessel underway in a channel or fairway must ensure that the vessel keeps out of the way of a vessel that can only safely navigate within the channel or fairway	\$330.44	2.00	\$3,304.00	20.00
112(1)	(1) The master of a power-driven vessel underway must ensure that the vessel keeps out of the way of— (a) a vessel constrained by its draught that is displaying lights or shapes to indicate that it is constrained by its draught; (b) a vessel not under command that is displaying lights or shapes to indicate that it is not under command; (c) a vessel restricted in its ability to manoeuvre that is displaying lights or shapes to indicate that it is restricted in its ability to manoeuvre; (d) a domestic commercial vessel engaged in fishing with nets, lines, trawls or any other fishing apparatus which restricts its ability to manoeuvre; (e) a sailing vessel.	\$330.44	2.00	\$3,304.00	20.00

MARINE SAFETY - FEES AND PENALTIES

In accordance with the *Monetary Units Act 2004*, the value for 2019-20 is:
Fee unit
Penalty unit

\$14.81
\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019	
		(\$)	Units	(\$)	Units
112(2) (2) The master of a sailing vessel underway must ensure that the vessel keeps out of the way of— (a) a vessel constrained by its draught that is displaying lights or shapes to indicate that it is constrained by its draught; (b) a vessel not under command that is displaying lights or shapes to indicate that it is not under command; (c) a vessel restricted in its ability to manoeuvre that is displaying lights or shapes to indicate that it is restricted in its ability to manoeuvre; (d) a domestic commercial vessel engaged in fishing with nets, lines, trawls or any other fishing apparatus which restricts its ability to manoeuvre.	As master of a sailing vessel, fail to ensure vessel keeps out of the way.	\$330.44	2.00	\$3,304.00	20.00
Marine (Drugs, Alcohol and Pollution Control) Act 1988 28(1)(a) A person is guilty of an offence if— (a) the person operates a vessel or is the master or pilot of a vessel underway or at anchor while under the influence of alcohol or any other drug to such an extent as to— (i) in the case of a person operating a vessel, be incapable of having proper control of the vessel; or (ii) in the case of a master or pilot of a vessel, be incapable of directing the proper operation of the vessel;	n/a	n/a	n/a	For a first offence: 25.00 \$4131.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 25.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(b) A person is guilty of an offence if— (b) the person operates a vessel or is the master or pilot of a vessel underway or at anchor while the prescribed concentration of alcohol or more than the prescribed concentration of alcohol is present in his or her blood or breath;	Operate or be the master or pilot of a vessel with— (a) blood alcohol level of 0.05 or more but less than 0.07g/100ml; or (b) breath alcohol level of 0.05 or more but less than 0.07g/210 litres of exhaled air—and—(c) a prescribed concentration of zero blood or breath alcohol does not apply to the person; and (d) the person is aged 26 years or older at the time of the transport safety infringement	\$495.66	\$3.00	For a first offence: 20.00 \$3304.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 20.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(b) As above	Operate or be the master or pilot of a vessel with— (a) blood alcohol level of 0.05 or more but less than 0.07g/100ml; or (b) breath alcohol level of 0.05 or more but less than 0.07g/210 litres of exhaled air—and—(c) a prescribed concentration of zero blood or breath alcohol does not apply to the person; and (d) the person is aged under 26 years at the time of the transport safety infringement	\$495.66	3.00	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with— (a) blood alcohol level of 0.05 or more but less than 0.07g/100ml; or (b) breath alcohol level of 0.05 or more but less than 0.07g/210 litres of exhaled air—and a prescribed concentration of zero blood or breath alcohol applies to the person	\$495.66	3.00	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with blood alcohol level of 0.07 or more but less than 0.10g/100ml or breath alcohol level of 0.07 or more but less than 0.10g/210 litres of exhaled air	\$495.66	3.00	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with— (a) blood alcohol level of less than 0.05g/100 ml; or (b) breath alcohol level of less than 0.05g/210 litres of exhaled air—and a prescribed concentration of zero blood or breath alcohol applies to the person	\$413.05	2.50	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with blood alcohol level of 0.10 or more but less than 0.11g/100 ml or breath alcohol level of 0.10 or more but less than 0.11g/210 litres of exhaled air	\$702.19	4.25	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with blood alcohol level of 0.11 or more but less than 0.12g/100 ml or breath alcohol level of 0.11 or more but less than 0.12g/210 litres of exhaled air	\$702.19	4.25	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with blood alcohol level of 0.12 or more but less than 0.13g/100 ml or breath alcohol level of 0.12 or more but less than 0.13g/210 litres of exhaled air	\$702.19	4.25	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with blood alcohol level of 0.13 or more but less than 0.14g/100 ml or breath alcohol level of 0.13 or more but less than 0.14g/210 litres of exhaled air	\$702.19	4.25	As above	As above
28(1)(b) As above	Operate or be the master or pilot of a vessel with blood alcohol level of 0.14 or more but less than 0.15g/100 ml or breath alcohol level of 0.14 or more but less than 0.15g/210 litres of exhaled air	\$702.19	4.25	As above	As above
28(1)(ba) A person is guilty of an offence if— (ba) the person operates a vessel or is the master or pilot of a vessel underway or at anchor while impaired by a drug;	n/a	n/a	n/a	For a first offence: 12.00 \$1983.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 12.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(bb) A person is guilty of an offence if— (b) the person operates a vessel or is the master or pilot of a vessel underway or at anchor while the prescribed concentration of drugs or more than the prescribed concentration of drugs is present in his or her blood or oral fluid;	Operate or be the master or pilot of a vessel while the prescribed concentration of drugs or more than the prescribed concentration of drugs is present in blood or oral fluid	\$495.66	3.00	For a first offence: 12.00 \$1983.00 For a second offence: 60.00 For a subsequent offence: 120.00	For a first offence: 12.00 For a second offence: 60.00 For a subsequent offence: 120.00
28(1)(c) A person is guilty of an offence if— (c) the person refuses to undergo a preliminary breath test in accordance with section 29 when required under the section to do so;	n/a	n/a	n/a	For a first offence: 12.00 \$1983.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 12.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(ca) A person is guilty of an offence if— (ca) the person refuses to undergo an assessment of drug impairment in accordance with section 31AA when required under that section to do so or refuses to comply with any other requirement made under section 31AA(1)	n/a	n/a	n/a	For a first offence: 12.00 \$1983.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 12.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(cb) A person is guilty of an offence if— (cb) the person refuses or fails to comply with a request or signal to go to a preliminary breath testing station, given under section 30(3);	n/a	n/a	n/a	For a first offence: 12.00 \$1983.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 12.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(d) A person is guilty of an offence if— (d) the person refuses to comply with a requirement made under section 31(1), (2), (2AA), (2A) or (9A);	n/a	n/a	n/a	For a first offence: 12.00 \$1983.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 12.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(e) A person is guilty of an offence if— (e) within 3 hours after operating a vessel or being a master or pilot of a vessel underway or at anchor, the person furnishes a sample of breath for analysis by a breath analysing instrument under section 31 and— (i) the result of the analysis as recorded or shown by the breath analysing instrument indicates that more than the prescribed concentration of alcohol is present in his or her breath; and (ii) the concentration of alcohol indicated by the analysis to be present in his or her breath was not due solely to the consumption of alcohol after operating the vessel or being the master or pilot of the vessel underway or at anchor; or	n/a	n/a	n/a	For a first offence: 20.00 \$3304.00 For a second offence: 120.00 For a subsequent offence: 180.00	For a first offence: 20.00 For a second offence: 120.00 For a subsequent offence: 180.00

MARINE SAFETY - FEES AND PENALTIES

In accordance with the *Monetary Units Act 2004*, the value for **2019-20** is:
Fee unit
Penalty unit

\$14.81
\$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))
The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislation and description of penalties	Short Infringement description	Infringement Penalty From 1 July 2019		Maximum Court Penalty From 1 July 2019	
		(\$)	Units	(\$)	Units
28(1)(ea)	A person is guilty of an offence if— (ea) the person refuses to comply with a requirement made under section 31AB(1);	n/a	n/a	For a first offence: \$1983.00 For a second offence: \$19826.00 For a subsequent offence: 180.00	For a first offence: 12.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(eb)	A person is guilty of an offence if— (eb) the person refuses to provide a sample of oral fluid in accordance with section 31AD or 31AE when required under that section to do so or refuses to comply with any other requirement made under that section;	n/a	n/a	For a first offence: \$1983.00 For a second offence: \$9913.00 For a subsequent offence: 120.00	For a first offence: 12.00 For a second offence: 60.00 For a subsequent offence: 120.00
28(1)(f)	A person is guilty of an offence if— (f) the person has had a sample of blood taken from him or her in accordance with section 31, 31A, 31AB or 31AE within 3 hours after operating a vessel or being a master or pilot of a vessel underway or at anchor and— (i) the sample has been analysed within 12 months after it was taken by a properly qualified analyst within the meaning of section 32 and the analyst has found that at the time of analysis the prescribed concentration of alcohol or more than the prescribed concentration of alcohol was present in that sample; and (ii) the concentration of alcohol found by the analyst to be present in that sample was not due solely to the consumption of alcohol after operating the vessel or being the master or pilot of the vessel underway or at anchor;	n/a	n/a	For a first offence: \$3304.00 For a second offence: \$19826.00 For a subsequent offence: 180.00	For a first offence: 20.00 For a second offence: 120.00 For a subsequent offence: 180.00
28(1)(g)	A person is guilty of an offence if— (g) within 3 hours after operating a vessel or being a master or pilot of a vessel underway or at anchor, the person provides a sample of oral fluid in accordance with section 31AE and— (i) the sample has been analysed by a properly qualified analyst within the meaning of section 32B and the analyst has found that at the time of analysis a prescribed illicit drug was present in that sample in any concentration; and (ii) the presence of the drug in that sample was not due solely to the consumption or use of that drug after operating the vessel or being the master or pilot of the vessel underway or at anchor;	n/a	n/a	For a first offence: \$1983.00 For a second offence: \$9913.00 For a subsequent offence: 120.00	For a first offence: 12.00 For a second offence: 60.00 For a subsequent offence: 120.00
28(1)(h)	A person is guilty of an offence if— (h) the person has had a sample of blood taken from him or her in accordance with section 31, 31A, 31AB or 31AE within 3 hours after operating a vessel or being a master or pilot of a vessel underway or at anchor and— (i) the sample has been analysed by a properly qualified analyst within the meaning of section 32 and the analyst has found at the time of analysis a prescribed illicit drug was present in that sample in any concentration; and (ii) the presence of the drug in that sample was not due solely to the consumption or use of that drug after operating the vessel or being the master or pilot of a vessel underway or at anchor.	n/a	n/a	For a first offence: \$1983.00 For a second offence: \$9913.00 For a subsequent offence: 120.00	For a first offence: 12.00 For a second offence: 60.00 For a subsequent offence: 120.00
28C(5)	A person who, without just cause or excuse, refuses or fails to surrender a document as required by a notice under subsection (1) is guilty of an offence and liable to a penalty of not more than 5 penalty units.	n/a	n/a	\$826.00	5.00
31(9D)	A person must not hinder or obstruct a registered medical practitioner or an approved health professional attempting to take a sample of the blood of any other person in accordance with subsection (9A).	n/a	n/a	\$1,983.00	12.00
31A(2)	If a person of or over the age of 15 years enters or is brought to a place for examination or treatment in consequence of a marine incident (whether within Victoria or not) involving a vessel, the person must allow a doctor to take from that person at that place a sample of that person's blood for analysis if— (a) the person was operating the vessel at the time the incident occurred; or (b) the person was the master or pilot of the vessel at the time the incident occurred and any of the following apply— (i) the vessel was underway or at anchor at the time the incident occurred; (ii) the vessel was underway or at anchor at the time the incident occurred.	n/a	n/a	For a first offence: \$1983.00 For a subsequent offence: 25.00	For a first offence: 12.00 For a subsequent offence: 25.00
31A(6)	A person must not hinder or obstruct a doctor attempting to take a sample of the blood of any other person in accordance with this section. A person must not hinder or obstruct a doctor attempting to take a sample of the blood of any other person in accordance with this section.	n/a	n/a	\$1311.00 \$1,983.00	12.00
31AB(4)	A person must not hinder or obstruct a registered medical practitioner or an approved health professional attempting to take a sample of the blood, or be furnished with a sample of the urine, of any other person in accordance with this section.	n/a	n/a	\$1,983.00	12.00
31AC(7)	A person who knowingly— (a) fails to destroy; or (b) uses, or causes or permits to be used— a video-recording or related material and information required by this section to be destroyed is guilty of an offence punishable by a fine of not more than 120 penalty units or to imprisonment for a term of not more than 12 months.	n/a	n/a	\$19,826.00	120.00
31AC(8)	A person who at any time uses, or causes or permits to be used, or otherwise disseminates information derived from any video-recording or related material and information required by this section to be destroyed except in good faith for the purposes of a relevant offence is guilty of an offence punishable by a fine of not more than 120 penalty units or to imprisonment for a term of not more than 12 months.	n/a	n/a	\$19,826.00	120.00
31AE(16)	A person must not hinder or obstruct a registered medical practitioner or an approved health professional attempting to take a sample of the blood of any other person in accordance with subsection (13).	n/a	n/a	\$1,983.00	12.00
33B(2)	A person who intentionally or recklessly— (a) supplies a Part 4 sample, or causes a Part 4 sample to be supplied, to a person for prohibited analysis; or (b) carries out a prohibited analysis of a Part 4 sample; or (c) includes, or causes the inclusion of, information derived from a prohibited analysis on a DNA database kept under a law of this State or the Commonwealth or of another State or a Territory— is guilty of an offence and liable to imprisonment for a term of not more than 12 months or to a fine of not more than 120 penalty units.	n/a	n/a	\$19,826.00	120.00

MARINE SAFETY - FEES AND PENALTIES

In accordance with the **Monetary Units Act 2004**, the value for 2019-20 is:
 Fee unit \$14.81
 Penalty unit \$165.22

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))

The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislations and description of fees		Fee	
		From 1 July 2019 (\$)	Units
Marine Safety Regulations 2012			
Part 13 - Fees			
Registration			
Fee for boating facilities and safety education			
136.1	Recreational vessel up to and including 4.0 metres in length powered with an engine	\$ 42.90	2.90
136.2	Recreational vessel over 4.0 metres in length powered with an engine	\$ 89.60	6.05
137	Fee for transfer of registration of a vessel	\$ 19.00	1.28
138	Fee for special identification plate	\$ 19.00	1.28
Marine licences and endorsements			
Fee for issue or renewal of marine licence or endorsement			
139.1	General marine licence	\$ 37.00	2.50
139.2	Restricted marine licence	\$ 18.50	1.25
140	Fee for replacement marine licence	\$ 23.10	1.56
142	Marine licence knowledge test fee	\$ 28.90	1.95
<i>Note: the following fees are not automatically indexed as they are under \$10 in value. Will be indexed every 3-4 years on Treasurers advice</i>			
139.3	Endorsement on a general marine licence	\$ 5.10	
139.4	Endorsement on a restricted marine licence	\$ 2.50	
141	Fee for search of records of marine licences	\$ 6.60	
Certificates of local knowledge			
154	Application fee for issue, variation or renewal of certificate of local knowledge	\$ 68.10	4.60
156	Application fee for duplicate of certificate of local knowledge	\$ 68.10	4.60
Examination fees for certificates of local knowledge			
157	Written Examinations	\$ 49.50	3.34
157	Oral Examinations	\$ 99.20	6.70
Pilotage			
158	Fee for application for issue of pilot licence	\$ 22.80	1.54
159	Fee for issue of pilot licence	\$ 68.10	4.60
160	Fee for duplicate of pilot licence	\$ 68.10	4.60
Examination fees for pilot licences			
161.1	Port of Melbourne waters, Port of Hastings waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	\$ 1,562.50	105.50
161.2	Port of Melbourne waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	\$ 1,250.70	84.45
161.3	Port of Melbourne waters, Port of Hastings waters and declared port waters of the Port of Geelong	\$ 1,250.70	84.45
161.4	Port of Melbourne waters and declared port waters of the Port of Geelong	\$ 937.50	63.30
161.5	Port of Melbourne waters and Port of Hastings waters	\$ 937.50	63.30
161.6	Port of Melbourne waters and declared port waters of the Port of Portland	\$ 937.50	63.30
161.7	Declared port waters of the Port of Portland and Port of Hastings waters	\$ 625.00	42.20
161.8	Declared port waters of the port of Geelong and declared port waters of the Port of Portland	\$ 625.00	42.20
161.9	Port of Hastings waters and declared port waters of the Port of Portland	\$ 625.00	42.20
161.1	Port of Melbourne waters (both channels)	\$ 625.00	42.20
161.11	Port of Melbourne waters (one channel)	\$ 366.50	24.75
161.12	Declared port waters of the port of Geelong	\$ 366.50	24.75
161.13	Port of Hastings waters	\$ 366.50	24.75
161.14	Declared port waters of the port of Portland	\$ 366.50	24.75
162	Fee for application for issue or renewal of pilot exemption	\$ 22.80	1.54
163	Fee for issue or renewal of pilot exemption	\$ 68.10	4.60
164	Fee for duplicate of pilot exemption	\$ 68.10	4.60
Fee for conduct of examination by the Safety Director for issue or renewal of pilot exemption			
165.1	Port of Melbourne waters, Port of Hastings waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	\$ 1,562.50	105.50
165.2	Port of Melbourne waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	\$ 1,250.70	84.45
165.3	Port of Melbourne waters, Port of Hastings waters and declared port waters of the Port of Geelong	\$ 1,250.70	84.45
165.4	Port of Melbourne waters and declared port waters of the Port of Geelong	\$ 937.50	63.30
165.5	Port of Melbourne waters and Port of Hastings waters	\$ 937.50	63.30
165.6	Port of Melbourne waters and declared port waters of the Port of Portland	\$ 937.50	63.30
165.7	Declared port waters of the Port of Portland and Port of Hastings waters	\$ 625.00	42.20
165.8	Declared port waters of the port of Geelong and declared port waters of the Port of Portland	\$ 625.00	42.20
165.9	Port of Hastings waters and declared port waters of the Port of Portland	\$ 625.00	42.20
165.1	Port of Melbourne waters (both channels)	\$ 625.00	42.20
165.11	Port of Melbourne waters (one channel)	\$ 366.50	24.75
165.12	Declared port waters of the port of Geelong	\$ 366.50	24.75
165.13	Port of Hastings waters	\$ 366.50	24.75
165.14	Declared port waters of the port of Portland	\$ 366.50	24.75
166	Application for registration as a pilotage services provider	\$ 199.90	13.50