

**Western Australian Marine Act 1982**

**(WAMA - 2023- 206266)**

**Exemption of electric hydrofoils from compliance with certain provisions of the  
*Navigable Waters Regulations 1958***

I, **Mark Briant**, A/Director Waterways Safety Management, Department of Transport (DoT) and delegate of the Chief Executive Officer, acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982*, **hereby exempt** electric hydrofoils from compliance with the following regulations of the *Navigable Waters Regulations 1958*:

- a. Regulation 52A which requires vessels to be equipped with lifejackets.
- b. Regulation 45B(7)(a)(i), (ii) and (iii) which require vessels to display registration numbers of a certain size, in a specified location.

**The exemptions above are subject to the following conditions:**

**Registration:**

1. The electric hydrofoil shall display the registration number allotted to it on the left and right sides of the board, each digit of the number shall be black and shall be not less than 50 mm in height and 12 mm in width; and where the background of each digit is not white, each digit of the number shall have a white surround not less than 7 mm in width; and each digit of the number shall be of plain block design and not script and be vertical and not slanting.

**Operation:**

2. The electric hydrofoil is operated only between the hours of sunrise and sunset.

**Safety Equipment:**

3. An operator of an electric hydrofoil outside protected waters and more than 400m from any shore, is to:
  - a) wear any of the following, appropriate in terms of buoyancy and size to the body mass of that person –
    - i. Level 50 lifejacket;
    - ii. Level 50S lifejacket
    - iii. Level 100 lifejacket;
    - iv. Level 150 lifejacket;
    - v. Level 275 lifejacket;
    - vi. SOLAS lifejacket;
    - vii. PFD Type 1;
    - viii. PFD Type 2;
    - ix. PFD Type 3; and
4. The required safety equipment is maintained in a serviceable condition and produced to a DoT officer upon request.

This instrument does not exempt an electric hydrofoil from being operated in compliance with other marine legislation requirements including speed restrictions, recreational skipper's ticket requirements and the *Prevention of Collisions at Sea Regulations 1983*.

The terms in this instrument have the same meaning as in the Act and the Regulations.

This instrument revokes instrument WAMA – 2023 – 206139 and remains in force until 1st of August 2025, unless revoked sooner.

Approved by LLS 27/09/2023
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**Mark Briant**

*A/Director Waterways Safety Management*

28 September 2023