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SCHEDULES

SCHEDULE 6

Section 43(1)

TRANSITIONAL PROVISIONS

PART 1

GENERAL PROVISIONS

- 1 In this Part of this Schedule—
- “the appointed day” means the appointed day referred to in paragraph 5, 7 or 14, as the case may be;
 - “the existing enactments” means—
 - (a) the 2006 byelaws;
 - (b) the Broads Authority Speed Limit Byelaws 1992; and
 - (c) section 94 of the 1907 Act.
- 2 The repeal, revocation or amendment, as the case may be, by this Act of the existing enactments shall not affect the liability of any person for any offence under any provision of the existing enactments committed before the appointed day.
- 3 Any proceedings under the existing enactments (including proceedings for an offence such as is referred to in paragraph 2) may be continued notwithstanding the repeal, revocation or amendment of the existing enactments.
- 4 Any application, approval, certificate, consent, document, exemption, notice or warrant made, submitted, given, granted or issued under any provision of the existing enactments shall continue to have effect after the appointed day as though it had been made, submitted, given, granted or issued under the corresponding provision of this Act until it expires or is revoked or otherwise ceases to have effect in accordance with this Act.

PART 2

BOAT SAFETY STANDARDS

- 5 In this Part of this Schedule—
- “the appointed day” means the appointed day fixed for the purposes of section 12 (construction and equipment standards) of this Act;
 - “boat standards” means the boat safety standards set out in the 2006 byelaws.
- 6 (a) As from the appointed day the boat standards shall have effect as though they were standards and specifications imposed under section 12; and shall continue to apply to the categories of vessel to which they applied before the appointed day; and shall apply to vessels of those categories on adjacent waters as well as in the navigation area.

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- (b) The 2006 byelaws shall be revoked on the appointed day.

PART 3

WATER SKIING AND WAKE BOARDING

- 7 In this Part of this Schedule—
- “the appointed day” means the appointed day fixed for the purposes of sections 26 to 32 of this Act;
- “the 1992 byelaws” means the Broads Authority Speed Limit Byelaws 1992;
- “the relevant date” means a date 6 months after the appointed day;
- “the specified waters” means the stretches of water specified in Schedule 2 to the 1992 byelaws;
- “the transitional period” means the period commencing on the appointed day and ending on the relevant date;
- “water ski permit” means a water ski permit issued by the Authority under byelaw 9 of the 1992 byelaws.
- 8 During the transitional period—
- (a) the specified waters shall be deemed to have been designated as zones under section 26; and
- (b) any water ski permit issued by the Authority shall be deemed to be a permit issued under section 27.
- 9 During the transitional period the Authority shall not be required to exhibit and maintain any signs such as are referred to in section 26(8) in the vicinity of the specified waters.
- 10 Notwithstanding anything in the 1992 byelaws, or any condition of any water ski permit, every person who immediately before the appointed day held a water ski permit shall be entitled to engage in water skiing until the relevant date in accordance with the permit on the specified waters.
- 11 Paragraph 10 shall have effect subject to—
- (a) any resolution passed under section 26(1) or (4);
- (b) any direction given under section 28; and
- (c) the right of the Authority under section 30 to cancel or amend the permit in the circumstances referred to in section 30(1).
- 12 Without prejudice to the generality of paragraph 11 the Authority may during the transitional period by resolution passed under section 26 vary the times specified in Schedule 2 to the 1992 byelaws during which water skiing is permitted.
- 13 On the relevant date the following provisions of the 1992 byelaws shall be revoked—
- paragraph 2(a) of byelaw 5 (application of speed limits);
- byelaw 6 (water skiing);
- byelaw 9 (water ski permit);
- in byelaw 11 (log books), paragraph b, the words “any light sports vessel is used in accordance with byelaw 6 or” in paragraph c, and paragraph d;

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in byelaw 12 (wash) the words “any light sports vessel in accordance with Byelaw 6 or”;
Schedule 2 (water skiing—light sports vessels).

PART 4

PLEASURE BOAT LICENCES

- 14 In this Part of this Schedule—
“the appointed day” means the appointed day fixed for the purposes of section 40 (application of requirements of 1907 Act) of this Act;
“licence” means a licence granted under section 94 of the 1907 Act;
“local authority” means any local authority from which functions are transferred to the Authority under section 40.
- 15 Any licence granted by a local authority and in force on the appointed day shall be deemed to have been granted by the Authority.
- 16 Anything done or commenced before the appointed day by or against, or in relation to, a local authority under section 94 of the 1907 Act may be continued after the appointed day by or against, or in relation to, the Authority under section 94, as it has effect in accordance with section 40 of this Act, and paragraphs 3 and 4 of this Schedule, instead of the local authority.