



WESTERN
AUSTRALIAN
GOVERNMENT

Gazette

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041

3159



PERTH, WEDNESDAY, 30 JUNE 2010 No. 126 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 2.00 PM

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Western Australian Marine Act 1982

W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2010*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

3. Regulations amended

These regulations amend the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definition of *marine authority*.

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- (2) In regulation 3 insert in alphabetical order:

Australian marine authority means the statutory marine authority of the Commonwealth or of a State or Territory;

marine authority means —

- (a) an Australian marine authority; or
- (b) the marine authority of another country if there is an agreement between the Commonwealth and that other country under which the Commonwealth recognises that other country's certificates of competency;

5. Regulation 11 amended

In regulation 11(2) delete “marine authorities” and insert:

Australian marine authorities

6. Regulation 14 amended

In regulation 14 delete “a certified copy of” and insert:

a replacement for

7. Regulation 15 amended

In regulation 15(4) delete “marine authorities” and insert:

Australian marine authorities

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8. Regulation 17 amended

In regulation 17(1):

- (a) after “examination” (first occurrence) insert:

for a certificate of competency
- (b) in paragraph (d) delete “examination.” and insert:

examination; and
- (c) after paragraph (d) insert:

(e) any fees set out in Schedule 3 that are payable
in respect of sitting the examination.
- (d) after each of paragraphs (a) and (b) insert:

and

9. Regulation 18 amended

After regulation 18(2) insert:

- (3) A record of service may be kept in a booklet supplied by the chief executive officer or in another appropriate form.

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10. Regulation 28 amended

- (1) Delete regulation 28(1) and insert:
- (1) Subject to this regulation, the safety manning of commercial vessels must be in accordance with Schedule 5.
 - (1A) The chief executive officer may, on the application of a party with an interest in a commercial vessel, give a direction about the safety manning of the vessel.
 - (1B) The chief executive officer may, on the chief executive officer's own initiative, give a direction about the safety manning of a commercial vessel or a specified class of commercial vessels.
- (2) In regulation 28(2) delete "officer, made in accordance with subregulation (1)," and insert:
- officer made under subregulation (1A) or (1B),

11. Regulation 31A amended

In regulation 31A after "matters" insert:

under the Act or these regulations

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12. Schedule 3 replaced

Delete Schedule 3 and insert:

Schedule 3 — Fees

[r. 31A]

Table

Item no.	Provision	Subject matter	Fee
<i>Fees for matters under Act</i>			
1.	s. 115A(1)	Deciding application for exemption from: <ul style="list-style-type: none"> • any provision of Part II Division 2 or 3 of the Act • any provision of these regulations 	\$193.90 per hour or part of an hour
<i>Fees for matters under regulations</i>			
2.	r. 8(1)	Application for certificate of competency	\$193.90
3.	r. 8(1)	Grant of certificate of competency	\$141.60
4.	r. 9(1)	Deciding application for addition or deletion of endorsement	\$193.90 per hour or part of an hour

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Item no.	Provision	Subject matter	Fee
5.	r. 10(1b)	Application for revalidation of certificate of competency: <ul style="list-style-type: none"> • Master Class III • Master Class IV • Mate Class IV • Marine Engineer Class III • Marine Engine Driver Grade I 	\$193.90
6.	r. 10(1b)	Application for revalidation of certificate of competency: <ul style="list-style-type: none"> • Master Class V • Coxswain • Marine Engine Driver Grade II 	\$141.60
7.	r. 13	Application for acceptance of certificate of competency issued by another marine authority	\$193.90
8.	r. 14	Issue of replacement certificate	\$141.60
9.	r. 17(1)	Sitting first examination for certificate of competency	\$387.80
10.	r. 17(1)	Sitting second or subsequent examination (if required) for certificate of competency	\$193.90 per examination

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Item no.	Provision	Subject matter	Fee
11.	r. 17(1)	In addition to fee set out in item 9 or 10, if examination is conducted (at examinee's request) at time or place not normally scheduled for conduct of examinations, for travel by examiner to and from place where examination is conducted	reasonable costs and expenses incurred
12.	r. 18(3)	Record of service booklet	\$11.00
13.	r. 27A(3)	Issue of certificate of proficiency	\$12.90
14.	r. 28(1A)	Application for safety manning direction	\$193.90
15.	r. 29(1)	Application for dispensation	\$193.90

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.
