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**MARINE/MARITIME**

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MX301\*

Port Authorities Act 1999

**Port Authorities Amendment Regulations  
(No. 2) 2009**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Port Authorities Amendment Regulations (No. 2) 2009*.

**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 the day after that day.

**3. Regulations amended**

These regulations amend the *Port Authorities Regulations 2001*.

**4. Schedule 1 clause 74 amended**

In Schedule 1 clause 74(2)(b) after “Class 3” insert:

or Class 4

**5. Schedule 1 clause 90 replaced**

Delete Schedule 1 clause 90 and insert:

**90. Validity and renewal of certificate of local knowledge**

- (1) A certificate of local knowledge is valid for 2 years and expires at the end of that period unless it is sooner revoked under clause 91B.
- (2) If a person who holds a certificate of local knowledge (including a certificate of local knowledge previously renewed under this subclause or revalidated under

clause 91A) applies to the harbour master, in a form approved by the harbour master —

- (a) before the certificate expires; and
- (b) with evidence that satisfies the harbour master that the person has moved a vessel under the authority of the certificate within 2 years before the application,

the harbour master may renew the certificate for a period that, in the discretion of the harbour master, does not exceed 2 years.

**91A. Revalidation of expired certificate of local knowledge**

- (1) A person whose certificate of local knowledge expires under clause 90 may apply to the harbour master, in a form approved by the harbour master, to have the certificate revalidated if the application is made within 2 years of the expiry.
- (2) The harbour master is to revalidate the certificate of local knowledge for a period that, in the discretion of the harbour master, does not exceed 2 years if satisfied by evidence given with the application that the applicant has applied in accordance with subclause (1) and complies with subclause (4).
- (3) The harbour master is to make available to a person who requests it written information explaining what is required to satisfy the harbour master under subclause (2).
- (4) An applicant complies with this subclause if —
  - (a) the applicant has moved a vessel under the authority of a licence within 2 years of the application; or
  - (b) the applicant —
    - (i) is capable of safely moving a vessel of more than 150 gross registered tonnes in the area or areas of the port in relation to which the application is made; and
    - (ii) has an adequate knowledge of those matters that the port authority considers relevant to the safe movement of vessels into, within and out of the port.
- (5) A certificate of local knowledge that is revalidated under this clause has the same effect as it did immediately before it expired.
- (6) A person whose certificate of local knowledge expires and is not revalidated within the period referred to in subclause (1) may apply for a new certificate of local knowledge under clause 88 if the person is eligible under clause 87.

**91B. Revocation of certificate of local knowledge**

- (1) The harbour master may, in the discretion of the harbour master, revoke a certificate of local knowledge by written notice given to the person who holds the certificate.

- (2) A notice under subclause (1) has effect on the day on which the person who holds the certificate of local knowledge is given the notice or on any later day specified in the notice.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.