

MX301*

Western Australian Marine Act 1982

Prevention of Collisions at Sea Amendment Regulations 2005

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Prevention of Collisions at Sea Amendment Regulations 2005*.

2. The regulations amended

The amendments in these regulations are to the *Prevention of Collisions at Sea Regulations 1983**.

[* *Reprint 1 as at 14 November 2003.*]

3. Part A amended

Part A is amended as follows:

- (a) in rule 1(e) by deleting “, without interfering with the special function of the vessel,”;

- (b) in rule 3(a) by inserting after “non-displacement craft” —
“ ,WIG craft ”;
- (c) in rule 3(h) by deleting “depth of water” and inserting instead —
“ depth and width of navigable water ”;
- (d) after rule 3(l) by inserting the following paragraph —
“
(m) The term “**WIG craft**” means a multimodal craft which, in its main operational mode, flies in close operational proximity to the surface by utilising surface-effect action.
”.

4. Part B amended

Part B is amended as follows:

- (a) in rule 8(a) by inserting after “shall” —
“
be taken in accordance with the Rules of this Part and shall
”;
- (b) after rule 8(e) by inserting the following paragraph —
“
(f) (i) A vessel which, by any of these Rules, is required not to impede the passage or safe passage of another vessel shall, when required by the circumstances of the case, take early action to allow sufficient sea room for the safe passage of the other vessel.
(ii) A vessel required not to impede the passage or safe passage of another vessel is not relieved of this obligation if approaching the other vessel so as to involve risk of collision and shall, when taking action, have full regard to the action which may be required by the Rules of this Part.
(iii) A vessel the passage of which is not to be impeded remains fully obliged to comply with the Rules of this Part when the 2 vessels are approaching one another so as to involve risk of collision.
”;
- (c) in rule 10(a) by inserting after “Organisation” —
“
and does not relieve any vessel of her obligations under any other of these Rules
”;
- (d) in rule 10(c) by inserting after “cross” —
“ on a heading ”;

(e) by deleting rule 10(d) and inserting instead —

“

- (d) (i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 metres in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.
- (ii) Despite subparagraph (i), a vessel may use an inshore traffic zone when en route to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger.

”;

(f) after rule 18(e) by inserting the following paragraph —

“

- (f) (i) A WIG craft shall, when taking off, landing and in flight near the surface, keep well clear of all other vessels and avoid impeding their navigation.
- (ii) A WIG craft operating on the water surface shall comply with the Rules of this Part as if it were a power-driven vessel.

”.

5. Part C amended

Part C is amended as follows:

(a) in rule 22(a) by deleting “2” and inserting instead —

“ 3 ”;

(b) by deleting rule 23(c) and inserting instead —

“

- (c) A WIG craft when taking off, landing and in flight near the surface shall, in addition to the lights prescribed in paragraph (a) of this Rule, exhibit a high intensity all-round flashing red light;

”;

(c) after rule 23(c) by inserting the following paragraph —

“

- (d) (i) A power-driven vessel of less than 12 metres in length may in lieu of the lights prescribed in paragraph (a) of this Rule, exhibit an all-round white light and sidelights;
- (ii) A power-driven vessel of less than 7 metres in length whose maximum speed does not exceed 7 knots may in lieu of the lights prescribed in paragraph (a) of this Rule exhibit an all-round white light and shall, if practicable, also exhibit sidelights;
- (iii) The masthead light or all-round white light on a power-driven vessel of less than 12 metres in length may be displaced from the fore and aft centreline of the vessel if centreline fitting is not practicable,

provided that the sidelights are combined in one lantern which shall be carried on the fore and aft centreline of the vessel or located as nearly as practicable in the same fore and aft line as the masthead light or the all-round white light.

”.

- (d) in rule 26(b)(i) by deleting “a vessel of less than 20 metres in length may instead of this shape exhibit a basket;”;
- (e) in rule 26(c)(i) by deleting “a vessel of less than 20 metres in length may instead of this shape exhibit a basket;”;
- (f) by deleting rule 26(d) and inserting the following paragraph instead —

“

- (d) The additional signals described in Annex II to these regulations apply to a vessel engaged in fishing in close proximity to other vessels engaged in fishing.

”;

- (g) in rule 27(e)(ii) by inserting before “a rigid” —

“

except where a vessel exhibits an International Code Flag “A” (diving flag) pursuant to regulation 19C of the *Navigable Waters Regulations* (WA),

”;

- (h) in rule 31 by inserting after “seaplane” —
“ or a WIG craft ”.

6. Part D amended

Part D is amended as follows:

- (a) in rule 33(a) by deleting “and a bell” and inserting instead —

“

, a vessel of 20 metres or more in length shall be provided with a whistle and a bell,

”;

- (b) by deleting rule 35(i) and inserting the following paragraph instead —

“

- (i) A vessel of less than 20 metres in length may give the bell signals prescribed in paragraphs (g) and (h) of this Rule. If she does not, she shall make some other efficient sound signal at intervals of not more than 2 minutes.

”.

- (c) after section 3(c) by inserting the following paragraphs —

“

- (d) When only one masthead light is prescribed for a power-driven vessel, this light shall be exhibited forward of amidships.
- (e) A vessel of less than 20 metres in length need not exhibit the masthead light referred to in paragraph (d) forward of amidships, but shall exhibit it as forward as is practicable.

”;

- (d) in section 8(a) by deleting “K_D” and inserting instead —

“ K^D ”;

- (e) in section 8(a) by deleting “10.7” and inserting instead —

“ 10⁻⁷ ”;

- (f) after section 9(b) by inserting the following paragraph —

“

- (c) If it is impracticable to comply with paragraph (b) by exhibiting only one all-round light, 2 all-round lights shall be used suitably positioned or screened so that they appear, as far as practicable, as one light at a distance of one mile.

”;

- (g) after section 13 by inserting the following section —

“

13A. High speed craft

- (a) The masthead light of high-speed craft may be placed at a height related to the breadth of the craft lower than that prescribed in paragraph 2(a)(i) of this Annex, provided that the base angle of the isosceles triangles formed by the sidelights and masthead light, when seen in end elevation, is not less than 27°.
- (b) On high-speed craft of 50 metres or more in length, the vertical separation between foremast and mainmast light of 4.5 metres required by paragraph 2(a)(ii) of this Annex may be modified provided that such distance shall not be less than the value determined by the following formula:

$$Y = \frac{(A + 17\Psi)C}{1000} + 2$$

where:

- y is the height of the mainmast light above the fore mast light in metres;
- a is the height of the foremast light above the water surface in service condition in metres;
- ψ * is the trim in service condition in degrees;

C is the horizontal separation of masthead lights in metres.

* Refer to the International Code of Safety for High-Speed Craft, 1994 or the International Code of Safety for High-Speed Craft, 2000.

”.

9. Annex II amended

Annex II is amended as follows:

- (a) in section 2(a) —
- (i) by inserting after “Vessels” —
“ of 20 metres or more in length ”; and
- (ii) by deleting “may” and inserting instead —
“ shall ”;
- (b) in section 2(b) —
- (i) by inserting after “Each vessel” —
“ 20 metres or more in length ”; and
- (ii) by deleting “may” and inserting instead —
“ shall ”;
- (c) after section 2(b) by inserting the following paragraph —
- “
- (c) A vessel less than 20 metres in length engaged in trawling, whether using demersal or pelagic gear or engaged in pair trawling shall exhibit the lights prescribed in paragraph (a) or (b), as appropriate.

”.

10. Annex III amended

Annex III is amended as follows:

- (a) in section 1(a) by inserting after “(± 1 per cent)” —
“
for a vessel of 20 metres or more in length, or
180-2100Hz (± 1 per cent) for a vessel less than 20
metres in length
”;
- (b) in section 1(c) by inserting after “180-2100Hz (± 1 per cent)” —
“ for a vessel less than 20 metres in length ”;
- (c) by deleting the Table to item 1(c) and inserting instead —

“

Length of vessel in metres	1/3 rd -octave band level at 1 metre in dB referred to $2 \times 10^{-5} \text{ N/m}^2$	Audibility range in nautical miles
200 or more	143	2.0
75 but not less than 200	138	1.5

Length of vessel in metres	1/3 rd -octave band level at 1 metre in dB referred to $2 \times 10^{-5} \text{ N/m}^2$	Audibility range in nautical miles
20 but less than 75	130	1.0
Less than 20	120 ^{*1}	0.5
	115 ^{*2}	
	111 ^{*3}	

1. When the measured frequencies lie within the range 180-450Hz.
2. When the measured frequencies lie within the range 450-800Hz.
3. When the measured frequencies lie within the range 800-2100Hz.

”;

- (d) in section 2(b) by deleting “, and shall not be less than 200 mm for vessels of 12 metres or more but of less than 20 metres in length”.

11. Annex IV amended

Annex IV is amended as follows:

- (a) in section 1(n) by deleting the full stop and inserting instead a semicolon;
- (b) after section 1(n) by inserting the following paragraph —

“

- (o) approved signals transmitted by radio-communication systems, including survival craft radar transponders.

”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.