

TR307*

Western Australian Marine Act 1982

W. A. Marine Amendment Regulations 2002

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

1. Citation

These regulations may be cited as the *W. A. Marine Amendment Regulations 2002*.

2. Commencement

These regulations come into operation on 1 July 2002.

3. *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983* amended

- (1) The amendments in this section are to the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983**.

[* *Reprinted as at 30 July 1997.*

For amendments to 30 May 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 378-9.]

- (2) Schedule 3 is repealed and the following Schedule is inserted instead —

“

Schedule 3 — Fees

[r. 31A]

Reg.	Subject matter	Fee
9(1)	Addition or deletion of endorsement:	\$53
9(2)	Approval of foreign certificate:	\$53
10(1)	Revalidation of certificate:	\$43
14	Issue of replacement certificate:	\$33
17(1)	Registration of application for Certificate of Competency (fee includes 2 oral examinations):	\$92
17(1)	Further examinations if required:	\$43/examination
	oral examination conducted at a place or time outside normal scheduled period or location (at request of examinee):	\$86/hour for an examiner \$55/hour for a clerk
27A(3)	Issue of Certificate of Proficiency:	\$8
29(1)	Issue of dispensation:	\$53

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4. *W.A. Marine (Hire and Drive Vessels) Regulations 1983* amended

- (1) The amendments in this section are to the *W.A. Marine (Hire and Drive Vessels) Regulations 1983**.

[* Reprinted as at 9 March 2001.

For amendments to 30 May 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 380.]

- (2) Regulation 4(2)(e) is amended as follows:
- (a) in substituted clause 3.1.2(1)(b) by deleting “\$269.50” and inserting instead —
“ \$276.10 ”;
 - (b) in substituted clause 3.1.2(3)(b) by deleting “\$134.20” and inserting instead —
“ \$137.50 ”;
 - (c) in substituted clause 3.1.3(m) by deleting “\$51.70” and inserting instead —
“ \$52.80 ”.

5. *W.A. Marine (Radiotelephony) Regulations 1981* amended

- (1) The amendments in this section are to the *W.A. Marine (Radiotelephony) Regulations 1981**.

[* Reprinted as at 16 February 2001.

For amendments to 30 May 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 382.]

- (2) Regulation 16 is amended as follows:
- (a) in subregulation (2a) by deleting “\$257.40” and inserting instead —
“ \$263.50 ”;
 - (b) in subregulation (2b) by deleting “\$128.70” and inserting instead —
“ \$131.70 ”.

6. *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983 amended*

- (1) The amendments in this section are to the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983**.

[* Reprinted as at 30 July 1997.

For amendments to 27 May 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 383 and Gazette 22 March 2002.]

- (2) Schedule 1 is repealed and the following Schedule is inserted instead —

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Schedule 1 — Fees

[r. 4A]

1. Survey Fees

- (a) Subject to paragraph (b), the standard fees for examination of plans of a vessel, initial surveys and subsequent surveys are as follows —

Length of vessel (metres)	Examination of plans (\$)	Initial survey (\$)	Subsequent surveys (\$)
Not exceeding 5	335	471	139
Over 5 but not exceeding 6	388	648	166
Over 6 but not exceeding 7	423	913	202
Over 7 but not exceeding 8	545	1 212	218
Over 8 but not exceeding 9	672	1 579	234
Over 9 but not exceeding 10	788	1 941	247
Over 10 but not exceeding 11	971	2 334	272
Over 11 but not exceeding 12	1 153	2 732	299
Over 12 but not exceeding 13	1 332	3 126	327
Over 13 but not exceeding 14	1 520	3 518	352
Over 14 but not exceeding 15	1 703	3 913	379
Over 15 but not exceeding 16	1 878	4 309	403
Over 16 but not exceeding 17	2 060	4 703	431
Over 17 but not exceeding 18	2 248	5 097	458
Over 18 but not exceeding 19	2 423	5 491	483
Over 19 but not exceeding 20	2 606	5 887	512
Over 20 but not exceeding 21	2 817	6 310	550
Over 21 but not exceeding 22	3 029	6 733	593
Over 22 but not exceeding 23	3 241	7 156	634

Length of vessel (metres)	Examination of plans (S)	Initial survey (S)	Subsequent surveys (S)
Over 23 but not exceeding 24	3 458	7 586	672
Over 24 but not exceeding 25	3 666	8 006	710
Over 25 but not exceeding 26	3 885	8 428	749
Over 26 but not exceeding 27	4 091	8 852	788
Over 27 but not exceeding 28	4 309	9 283	832
Over 28 but not exceeding 29	4 517	9 706	870
Over 29 but not exceeding 30	4 729	10 126	910
Over 30 but not exceeding 31	4 970	10 582	963
Over 31 but not exceeding 32	5 216	11 043	1 018
Over 32 but not exceeding 33	5 453	11 494	1 069
Over 33 but not exceeding 34	5 699	11 951	1 124
Over 34 but not exceeding 35	5 941	12 404	1 177
Over 35 but not exceeding 36	6 186	12 858	1 230
Over 36 but not exceeding 37	6 434	13 311	1 285
Over 37 but not exceeding 38	6 669	13 773	1 333
Over 38 but not exceeding 39	6 914	14 224	1 386
Over 39 but not exceeding 40	7 156	14 679	1 440
Over 40 but not exceeding 41	7 432	15 160	1 511
Over 41 but not exceeding 42	7 702	15 648	1 577
Over 42 but not exceeding 43	7 974	16 139	1 641
Over 43 but not exceeding 44	8 249	16 615	1 709
Over 44 but not exceeding 45	8 521	17 110	1 775
Over 45 but not exceeding 46	8 793	17 587	1 838
Over 46 but not exceeding 47	9 067	18 071	1 906
Over 47 but not exceeding 48	9 338	18 561	1 972
Over 48 but not exceeding 49	9 616	19 044	2 037
Over 49 but not exceeding 50	9 885	19 527	2 106
Over 50	10 155	20 013	2 170

(b) The fees set out in paragraph (a) are subject to the following variations —

(i) for vessels under construction —

- (A) The fee for examination of plans provides for the examination of the initial plans and one amendment. Fee for a second and each further amendment to plans: \$104.00/hour
- (B) If vessel is to be issued with an additional class or plans are changed to change class of the vessel or to add a class, fee for examination of plans:
- (a) \$104.00/hour; or
- (b) the sum of the amounts set out in item 1(b)(ii)(H)(I) and (II),
- whichever is greater

- (C) If vessel is to be issued with a Classification Certificate in respect of its hull and machinery by a recognised Classification Society —
- | | |
|-----------------------------------|--|
| (I) fee for examination of plans: | 50% of fee for examination of plans set out in item 1(a) |
| (II) fee for initial survey: | 50% of fee for initial survey set out in item 1(a) |
- (D) If vessel is to be issued with a Classification Certificate in respect of its hull only, or machinery only, by a recognised Classification Society —
- | | |
|-----------------------------------|--|
| (I) fee for examination of plans: | 75% of fee for examination of plans set out in item 1(a) |
| (II) fee for initial survey: | 75% of fee for initial survey set out in item 1(a) |
- (E) Where a vessel is to be built and surveyed during construction to the Uniform Shipping Laws (USL) code, for hull structure only, the fee to be paid is —
- | | |
|-----------------------------------|--|
| (I) fee for examination of plans: | 50% of fee for examination of plans set out in item 1(a) |
| (II) fee for initial survey: | 50% of fee for initial survey set out in item 1(a) |
- (F) Where a vessel is to be built and surveyed during construction to the Uniform Shipping Laws (USL) code, for hull structure and machinery only, the fee to be paid is —
- | | |
|-----------------------------------|--|
| (I) fee for examination of plans: | 75% of fee for examination of plans set out in item 1(a) |
| (II) fee for initial survey: | 75% of fee for initial survey set out in item 1(a) |
- (G) Where a vessel that has been built and surveyed during construction to the Uniform Shipping Laws (USL) code, for hull structure and machinery only, and is now

surveyed for fire, safety and miscellaneous equipment, the fee to be paid is —

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|------|-------------------------------|--|
| (I) | fee for examination of plans: | 25% of fee for examination of plans set out in item 1(a) |
| (II) | fee for initial survey: | 25% of fee for initial survey set out in item 1(a) |
- (H) If vessel is a commercial ski boat —
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|------|-------------------------------|--|
| (I) | fee for examination of plans: | 50% of fee for examination of plans set out in item 1(a) |
| (II) | fee for initial survey: | 100% of fee for subsequent survey set out in item 1(a) |
- (I) If an application for a new vessel claims that it is to be built in accordance with plans, or in accordance with the structure or machinery plans, of an existing vessel, or one under construction, the examination of plans fee is as follows —
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|-------|---|--|
| (I) | where there are common structure plans: | 75% of fee for examination of plans set out in item 1(a) |
| (II) | where there are common structure and machinery plans: | 50% of fee for subsequent survey set out in item 1(a) |
| (III) | where there are fully common plans: | no plan approval fee is payable |
- (ii) for existing vessels —
- (A) The fee for annual or subsequent survey provides for the initial survey and one further inspection to clear a deficiency notice. Fee for a second and each further inspection to complete a survey:
- \$104.00/hour plus travel expenses
- (B) If vessel is in more than one class, fee for subsequent surveys:
- Fee for subsequent surveys set out in item 1(a) plus 50% of that fee for each additional class
- (C) If class of vessel to be changed or a class is to be added —
- | | | |
|-----|-----------------------|---|
| (I) | examination of plans: | (a) \$104.00/hour plus fee for issue of new certificate of survey; or |
|-----|-----------------------|---|

- (b) the sum of the amounts set out in item 1(b)(ii)(H)(I) and (II),
whichever is greater
- (II) conducting survey: (a) \$104.00/hour; or
(b) the sum of the amounts set out in item 1(b)(ii)(H)(I) and (II),
whichever is greater
- (D) If vessel is to be surveyed for the first time in WA and has a current Classification Certificate in respect of its hull and machinery issued by a recognised Classification Society —
- (I) fee for examination of plans: 50% of fee for examination of plans set out in item 1(a)
- (II) fee for initial survey: 50% of fee for initial survey set out in item 1(a)
- (E) If vessel is to be surveyed for the first time in WA and has a current Classification Certificate in respect of its hull only, or machinery only, issued by a recognised Classification Society —
- (I) fee for examination of plans: 75% of fee for examination of plans set out in item 1(a)
- (II) fee for initial survey: 75% of fee for initial survey set out in item 1(a)
- (F) If vessel has a current Classification Certificate in respect of its hull and machinery issued by a recognised Classification Society, fee for subsequent surveys: 50% of fee for subsequent surveys set out in item 1(a)
- (G) If vessel has a current Classification Certificate in respect of its hull only, or machinery only, issued by a recognised Classification Society, fee for subsequent surveys: 75% of fee for subsequent surveys set out in item 1(a)

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|------|---|---|
| (H) | If significant alterations are to be made to vessel — | |
| (I) | fee for examination of plans: | 10% of fee for examination of plans set out in item 1(a) if structure requires assessment plus a further 10% of that fee for each of the following that require reassessment —
<ul style="list-style-type: none"> • machinery • accommodation, water tight arrangements, or structural fire protection; • equipment |
| (II) | fee for initial survey: | 10% of fee for initial survey set out in item 1(a) if structure requires assessment plus a further 10% of that fee for each of the following that require reassessment —
<ul style="list-style-type: none"> • machinery • accommodation, water tight arrangements, or structural fire protection; • equipment |
| (I) | If Certificate of Survey previously issued in respect of vessel but not currently valid for the purposes of the Australian Marine Authority, the fee for reissue is — | |
| (I) | fee for examination of plans: | 50% of fee for examination of plans set out in item 1(a) |
| (II) | fee for initial survey: | 150% of fee for subsequent survey set out in item 1(a) |
| (J) | If vessel not fitted with deck structure or machinery: | 50% of fees set out in item 1(a) may apply |

Note: Hourly fees are charged per hour or part thereof.

2. Other Fees and Charges

The following fees are payable in relation to the matters set out in this item —

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| (a) | issue of certificate of survey where the Department accepts a certificate of survey issued by another marine authority: | \$76.00 |
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(b)	extension of period of validity of certificate of survey:	\$76.00
(c)	issue of replacement or copy of certificate of survey:	\$76.00
(d)	pressure vessel —	
	(i) examination of the plans (*see note 1):	\$104.00/hour
	(ii) initial survey and test:	\$104.00/hour
(e)	crane installation on a vessel —	
	(i) examination of the plans (*see note 1):	\$104.00/hour
	(ii) survey and test:	\$104.00/hour
(f)	towage permit —	
	(i) inspection of towage arrangement before the issue of permit:	\$104.00/hour plus travel expenses
	(ii) issue of permit:	\$76.00
(g)	permit to operate —	
	(i) inspection before the issue of a permit:	\$104.00/hour plus travel expenses
	(ii) issue of permit:	\$76.00
(h)	permit to trial —	
	(i) inspection before the issue of permit:	\$104.00/hour plus travel expenses
	(ii) issue of permit:	\$76.00
(i)	data checking —	
	(i) Check of Vessel Stability Data categories S, T, C.4, M, C.11, C.12.7.1, C.14.1(*see note 1) —	
	(I) cost for first category or class:	\$519
	(II) cost for each additional category or class:	\$260
	(ii) Check of Vessel Stability for remaining categories (*see note 1) —	
	(I) cost for first category or class †:	\$1 558
	(II) cost for each additional category or class †:	\$519
	(III) cost for each additional category S, T, C.4, M, C.11, C.12.7.1, C.14.1	\$260
	† The fees for these remaining categories will be subject to a 50% reduction if complete technical information is supplied in an electronic form compatible with the software held at the Department. (Software submission format: HYDROMAX, WOLFSON, MAST.)	
	(iii) Checking of lightship data	\$519
(j)	attendance at inclining experiment, roll period test, authorised practical stability test or lightship test:	\$519

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| (k) | issue of Load Line Certificate: | \$52/m x length of vessel |
| (l) | surveyor required to attend a vessel, site or meeting: | \$104/hour plus travel expenses |
| (m) | performance of survey or service during overtime hours, weekends or public holidays (in addition to other applicable fees, and in lieu of other hourly fees applicable if performance is during normal working hours): | \$124/hour |
| (n) | request for information requiring search of — | |
| (i) | printed records: | \$103.40/hour, minimum charge \$103.40 |
| (ii) | computer records: | \$114.40/hour, minimum charge \$114.40 |
| (o) | photocopying: | 90c/page |
| (p) | for a surveyor to attend a vessel, site, meeting or other survey or service outside the metropolitan area, on the request of the owner: | 75c/km travelled outside the metropolitan area by car |

- Notes: 1. The fees for examination of plans and for checking stability data [items marked (*)] allow for returning plans/data to the applicant for one amendment. If further amendment or checking is required, the fee for the surveyor's time for checking, examining and approving plans or data is \$104.00/hour.
2. Hourly fees are charged per hour or part of an hour.
3. Fees provided for in this item may be waived if, in the opinion of the chief executive officer —
- (a) the service is delivered in the interest of the Commercial Safety section (e.g. extension of survey where surveyor unavailable); or
 - (b) the service is a remedy to an oversight or delay for which the regulations have not allowed (e.g. permit to operate issued if Certificate of Survey is authorised, but cannot be printed).

3. Fees for Hire and Drive Vessels

The survey fees for vessels licensed under the *W.A. Marine (Hire and Drive Vessels) Regulations 1983* are as follows —

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|-----|---|------------------------|
| (a) | power boats not exceeding 5 m in length: | \$68.00 |
| (b) | sailing boats other than sailboards: | \$68.00 |
| (c) | boats propelled exclusively by oars or paddles, and sailboards: | \$42.00 |
| (d) | all other boats exceeding 5 m in length (including houseboats): | fees set out in item 1 |

4. Annual exemption fee

The annual exemption fee where the length of the vessel —

- | | | |
|-----|--|----------|
| (a) | does not exceed 5 m: | \$56.00 |
| (b) | exceeds 5 m but does not exceed 10 m: | \$112.00 |
| (c) | exceeds 10 m but does not exceed 20 m: | \$207.00 |

(d) exceeds 20 m but does not exceed 30 m:	\$282.00
Recording of transfer of vessel:	\$28.00
	”.

By Command of the Lieutenant-Governor and
deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.