

**TR302\***

SHIPPING AND PILOTAGE ACT 1967

**PORTS AND HARBOURS AMENDMENT REGULATIONS 1998**

Made by the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Ports and Harbours Amendment Regulations 1998*.

**Commencement**

2. These regulations come into operation on 1 July 1998.

**Principal regulations**

3. In these regulations the *Ports and Harbours Regulations\** are referred to as the principal regulations.

[\* *Published in Gazette 3 February 1966, pp. 277-92.*  
*For amendments to 24 April 1998 see 1997 Index to Legislation of Western Australia, Table 4, pp. 246-50.*]

**Regulation 14 amended**

4. Regulation 14 (3) of the principal regulations is repealed and the following subregulation is substituted —

“

(3) Where a second pilot is engaged to assist, an additional charge equal to half the amount payable for the first pilot is payable to a maximum of —

- (a) \$3 257 for a pilot engaged at Wyndham; or
- (b) \$3 238 for a pilot engaged at another port,

in respect of each occasion on which that vessel is required to be so piloted.

”.

**Regulation 15 amended**

5. Regulation 15 (3) of the principal regulations is amended by deleting “\$533” and substituting the following —

“ \$536 at Wyndham, or \$533 at another port, ”.

**Regulation 15A repealed and a regulation substituted**

6. Regulation 15A of the principal regulations is repealed and the following regulation is substituted —

“

**Detention of pilot**

15A. (1) In the event of a pilot being detained at a vessel until such vessel is ready to leave the berth, a special charge of —

- (a) \$534 per hour or portion thereof, at the port of Wyndham; and
- (a) \$531 per hour or portion thereof, at any other port,

is payable.

(2) Where a pilot is called out to attend a vessel in accordance with an application for pilotage and such vessel does not arrive at the boarding ground at the time given and the pilot is required to await the arrival of the vessel or the arrival is cancelled completely, detention of the pilot and the pilot vessel shall be payable at the rate of —

- (a) \$534 per hour, at the port of Wyndham; and
- (b) \$531 per hour, at any other port,

for the period of the detention, except during overtime hours when the charge payable shall be —

- (c) \$634 per hour, at Wyndham; and
- (d) \$630 per hour, at any other port.

”.

**Regulation 15B amended**

7. Regulation 15B (d) of the principal regulations is amended —

(a) by deleting “\$252” and substituting the following —

“ \$254 ”; and

(b) by deleting “\$362” and substituting the following —

“ \$364 ”.

**Regulation 15C repealed and a regulation substituted**

8. Regulation 15C of the principal regulations is repealed and the following regulation is substituted —

“

**Pilot remaining on board**

15C. Where a pilot at a port in the State at which the Department provides a pilotage service is required to remain on board or at a vessel which is moored or at a berth, for any reason, there shall be a charge of —

- (a) \$80 per hour with a minimum charge of \$536 and a maximum charge in any 24 hour period of \$1 392, at the port of Wyndham; and
- (a) \$80 per hour with a minimum charge of \$533 and a maximum charge in any 24 hour period of \$1 384, at any other port.

”.

**Regulation 16 amended**

9. Regulation 16 (d) is deleted and the following paragraph is substituted —

“

(d) has paid a fee of —

- (i) \$589 in relation to the port of Wyndham, if Wyndham is a specified port; and

- (ii) \$585 in respect of each other port specified in the certificate.

### Third Schedule amended

10. (1) Items 1 and 2 of Part I of the Third Schedule to the principal regulations are deleted and the following items are substituted —

“

[Reg. 15]

1. The charges for pilotage of vessels into and out of ports in the State at which the Department provides a pilotage service are —

PORT	GROSS REGISTERED TONNAGE OF VESSEL	CHARGES FOR BOTH INWARD AND OUTWARD PILOTAGE \$
BROOME	Up to 1 499	1 670
	1 500 — 3 000	2 234
	3 001 — 5 000	2 689
	5 001 — 10 000	3 239
	10 001 — 20 000	4 002
	20 001 — 30 000	4 681
	Exceeding 30 000	5 136
WYNDHAM (In respect of pilotage between Nicholls Point and berth)	Up to 1 499	1 904
	1 500 — 3 000	2 475
	3 001 — 5 000	3 128
	5 001 — 10 000	3 944
	10 001 — 20 000	4 950
	20 001 — 30 000	5 585
	Exceeding 30 000	6 172

2. Movements within port in the State at which the Department provides a pilotage service —

- (a) the charge for the pilotage of a vessel being removed from a place in a port to another place in that port not being a removal to or to near the pilot boarding ground shall be —
  - (i) at Wyndham - \$445; and
  - (ii) at other ports - \$442;
- (b) the charge for the pilotage of a vessel from a berth within a port to a place within that port at or near the pilot boarding ground or *vice versa* shall be half the combined inward and outward pilotage charge applicable to the vessel;
- (c) where a pilot boat and crew are used in connection with a removal referred to in paragraph (a) of this item a further charge, being launch hire, of —
  - (i) \$254 per hour or part thereof, at Wyndham; and
  - (ii) \$370 per hour or part thereof, at other ports,
 shall apply, except during overtime hours when the charge payable shall be —
  - (iii) \$364 per hour or part thereof, at Wyndham; and
  - (iv) \$370 per hour or part thereof, at other ports,
 when the pilot boat and crew are used.

(2) Subitem (1) of item 1 of Part II of the Third Schedule to the principal regulations is deleted and the following subitem is substituted —

“

(1) Conservancy dues are payable in respect of any vessel, other than a fishing vessel or a vessel referred to in regulation 18 (1) (a) to (i), on the day of first entry of that vessel, calculated as follows —

- (a) where the length of the vessel exclusive of the bowsprit is 70 metres or more, 9.245 cents per ton of the gross registered tonnage of the vessel; or;
- (b) where the length of the vessel exclusive of bowsprit —
 

	\$
(i) does not exceed 6 metres .....	77
(ii) exceeds 6 metres but does not exceed 10 metres .....	100
(iii) exceeds 10 metres but does not exceed 20 metres .....	147
(iv) exceeds 20 metres but does not exceed 30 metres .....	225
(v) exceeds 30 metres but does not exceed 50 metres .....	344
(vi) exceeds 50 metres but does not exceed 70 metres .....	537

By Command of the Governor,

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