

TR305

## ALBANY PORT AUTHORITY ACT 1926

## ALBANY PORT AUTHORITY AMENDMENT REGULATIONS 1993

Made by the Albany Port Authority.

**Citation**

1. These regulations may be cited as the *Albany Port Authority Amendment Regulations 1993*.

**Principal regulations**

2. In these regulations the *Albany Port Authority Regulations 1951\** are referred to as the principal regulations.

[\* *Published in Gazette of 30 March 1951 at pp. 680-714.*  
*For amendments to 21 July 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp. 11-15.*]

**Regulation 1 amended**

3. Regulation 1 of the principal regulations is amended —
  - (a) by deleting the definition of "Pilot" and substituting the following definition —

“  
“pilot” means a person appointed by the Governor under the *Shipping and Pilotage Act 1967*, and engaged by the Port Authority, to be a pilot at the Port;  
”;
  - and
  - (b) by inserting in the appropriate alphabetical position the following definition —

“  
“pilotage services” means the services provided by a pilot at the Port;  
”.

**Regulation 129a repealed and regulations 129A, 129B and 129C substituted**

4. Regulation 129a of the principal regulations is repealed and the following regulations are substituted —

“

**Vessels exempt from pilotage**

129A. For the purposes of section 31 (1) of the Act, pilotage is not compulsory within the Port for —

- (a) a vessel of less than 150 gross registered tons;
- (b) an Australian vessel of war; or
- (c) a vessel engaged, with the approval of the Port Authority, in dredging operations.

**Pilotage dues**

129B. The master and owner of a vessel for which pilotage services are obtained are jointly and severally liable to pay to the Port Authority the pilotage dues set out in Part A of Schedule C that are appropriate to the gross registered tonnage of the vessel and the nature of the pilotage services obtained.

**Dues payable if pilot detained**

129C. (1) If the services of a pilot are arranged for a vessel and the pilot is for any reason detained for any time beyond that reasonably required to provide pilotage services for the vessel, the owner and master of the vessel are jointly and severally liable to pay to the Port Authority the pilot detention dues set out in Part B of Schedule C.

(2) Without limiting the generality of subregulation (1), a pilot is detained for a time beyond that reasonably required to provide pilotage services for a vessel if the pilot is —

- (a) detained because the vessel is not ready to leave its berth at the arranged time;
- (b) detained because the vessel does not arrive at the pilot boarding ground at the arranged time;
- (c) required to be taken into and detained in quarantine, whether afloat or ashore; or
- (d) without the pilot's consent, taken to sea in the vessel.

(2) If the services of a pilot are arranged for a vessel and that arrangement, with less than 2 hours notice having been given to the pilot, is cancelled by or on behalf of the owner or master of the vessel, the owner and master of the vessel are jointly and severally liable to pay to the Port Authority the pilot cancellation dues set out in Part C of Schedule C.

**Schedule C added**

5. After Schedule B to the principal regulations the following Schedule is added —

“

**SCHEDULE C**

[regulations 129B and 129C]

**PART A — PILOTAGE DUES**

<i>Pilotage services</i>	<i>Gross registered tonnage of vessel</i>	<i>Charge \$</i>
1. Pilotage of a vessel into and out of the Port (charge applies once for both services)	Under 1 500	1 300.00
	1 500 to 3 000	1 900.00
	3 001 to 5 000	2 200.00
	5 001 to 10 000	2 400.00
	10 001 to 30 000	2 900.00
	30 001 to 40 000	3 100.00
	40 001 to 50 000	3 400.00
	Over 50 000	3 600.00

”

<i>Pilotage services</i>	<i>Gross registered tonnage of vessel</i>	<i>Charge \$</i>
2. Pilotage of a vessel from (or to) a berth within the Port to (or from) a place at or near the pilot boarding ground	Under 1 500	650.00
	1 500 to 3 000	950.00
	3 001 to 5 000	1 100.00
	5 001 to 10 000	1 200.00
	10 001 to 30 000	1 450.00
	30 001 to 40 000	1 650.00
	40 001 to 50 000	1 700.00
	Over 50 000	1 800.00
3. Pilotage of a vessel being moved within the Port (otherwise than as mentioned in item 2)	(Irrespective of the vessel's tonnage)	400.00

#### PART B — PILOT DETENTION DUES

1. Detention of pilot	\$450.00 for each hour or part of an hour
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#### PART C — PILOT CANCELLATION DUES

1. Cancellation of pilot	\$450.00
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Passed by a resolution of the Albany Port Authority at a meeting of the Authority.  
The Common Seal of the Albany Port Authority was at the time of the abovementioned resolution affixed in the presence of—

W. J. PLEWRIGHT, Chairman.  
N. S. HALL, Member.  
R. H. EMERY, Managing Secretary.