



# Government Gazette

OF

## WESTERN AUSTRALIA

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Shipping and Pilotage Act, 1855-1954.

### PROCLAMATION

WESTERN AUSTRALIA, } By His Excellency Major-General Sir Douglas  
TO WIT, } Anthony Kendrew, Knight Commander of the  
DOUGLAS ANTHONY } Most Distinguished Order of Saint Michael and  
KENDREW, } Saint George, Companion of the Most Honour-  
Governor. } able Order of the Bath, Commander of the  
[L.S.] } Most Excellent Order of the British Empire,  
 } Companion of the Distinguished Service Order,  
 } Governor in and over the State of Western  
 } Australia and its Dependencies in the Com-  
 } monwealth of Australia.

WHEREAS it is provided by the Shipping and Pilotage Act, 1855-1954, *inter alia*, that the Governor may from time to time frame, alter, amend or revoke rules and regulations not repugnant to any of the provisions of that Act to be observed by all masters and commanders of all ships or vessels in any of the ports or harbours of Western Australia; and whereas it is provided by that Act that the Governor may frame, vary or alter rules and regulations not repugnant to any of the provisions of the Act for the preservation of good order within all ports or harbours or any port or harbour; and whereas it is further provided by that Act that the Governor may declare from time to time with reference to all ports or harbours or any port or harbour what shall be the several harbour master's, pilotage, light or conservancy dues chargeable in respect of ships or vessels using the

same: Now, therefore, I, the Governor, acting with the advice and consent of the Executive Council, hereby revoke—

- (a) the Ports and Harbours General Regulations, 1917, published in the *Government Gazette* on 16th November, 1917, and all subsequent amendments thereto;
- (b) the Ports and Harbours (good order) Regulations, 1917, published in the *Government Gazette* on 16th November, 1917, and all subsequent amendments thereto;
- (c) the regulations made under section two of Ordinance 37 Victoriae, No. 14, published in the *Government Gazette* on 10th January, 1919, and all subsequent amendments thereto;
- (d) the regulations made by proclamation under Ordinance 37 Victoriae, No. 14, published in the *Government Gazette* on 18th November, 1921;
- (e) the Additional Port Regulations published in the *Government Gazette* on 9th July, 1929; and
- (f) the regulations made by proclamation under Ordinance 37 Victoriae, No. 14, published in the *Government Gazette* on 7th April, 1933,

and make regulations set out the schedule hereto.

## Schedule.

## REGULATIONS.

1. These regulations may be cited as the Ports and Harbours Regulations.
2. Subject to regulation 3 of these regulations, these regulations apply in relation to every port within the State except the Port of Fremantle.
3. (1) A provision of these regulations that is inconsistent with any provision of any regulations from time to time in force under the Albany Harbour Board Act, 1926 or the Bunbury Harbour Board Act, 1909 does not apply in relation to the Port of Albany or the Port of Bunbury, as the case may be.
- (2) The provisions of regulation 18 and Part II of the Third Schedule to these regulations apply in relation to the Port of Fremantle.
4. In these regulations unless the contrary intention appears—
  - “coasting vessel” means a vessel registered in the Commonwealth solely employed in trade between ports of the State;
  - “Harbour Master” includes a Wharfinger at any port at which pilotage is not provided and includes, in any case where a Harbour Master is absent from, or incapable from illness or any other cause from performing his duties at, the port to which he is appointed, the deputy of the Harbour Master or any officer of the Department authorised in writing by the Manager to act as Harbour Master;
  - “interstate vessel” means a vessel registered or owned within the Commonwealth or New Zealand that is solely employed in trading—
    - (a) between ports of the Commonwealth, other than solely between ports in the State, or of New Zealand and ports of the State; or
    - (b) between Singapore as a terminal port and the State by way of all or any of the ports on the north-western coast of the State;
  - “master” in relation to a vessel, means the person for the time being having the command, charge, custody or control of the vessel;
  - “owner” in relation to a vessel, includes the authorised agent of the owner;
  - “passenger” means any person carried in a vessel, other than as the master, a seaman or indentured apprentice;
  - “pilot” means a person employed and licensed by the Department to carry out the function of guiding vessels into, out of, and from place to place within, any port;
  - “port at which pilotage is provided” means a port at which a pilot is employed by the Department;
  - “surveyor” means a person appointed by the Governor to act as a surveyor of vessels and machinery;
  - “the Department” means the Harbour and Light Department of the State;
  - “tons” or “tonnage”, in relation to a British registered vessel, means the gross registered tons or tonnage calculated in accordance with the British measurement of registered tonnage, and, in relation to any other vessel, means the gross registered tons or tonnage calculated in accordance with the standard of measurement adopted by the authority by which the vessel is registered;
  - “vessel” includes ship, hulk, boat, barge, lighter, flat and any other type of craft howsoever propelled;
  - “vessel of war” means a vessel built for combatant service or converted for that purpose and tankers conveying fuel oil for such a vessel, if the vessel is owned or otherwise directly managed or controlled by the Government of the United Kingdom or of any of Her Majesty’s States, Dominions or Colonies, or by the Government of any foreign country which is a party with Her Majesty to any military alliance and not engaged in trade, but does not include a vessel used solely for the transport of troops, stores or equipment;
  - “wharf” includes any jetty or structure to which a vessel may be made fast or on which passengers, cargo or merchandise may be loaded or discharged.

5. The signals to be displayed at a port referred to in the First Schedule to these regulations to indicate the height or state of the tide at that port shall be the signals set out in the Table in that Schedule appropriate to that port.

6. The signal to be displayed upon any vessel for a purpose referred to in the first column of Table 1 in the Second Schedule to these regulations shall be the signal set out in the second column of that Table opposite to that purpose.

7. (1) The signal to be displayed by the master of a dredger within a port for a purpose set out in the first column of Table 2 in the Second Schedule to these regulations shall be the signal set out in the second column of that Table opposite to that purpose.

(2) The master of a dredger who fails to give the appropriate signal set out in that Table in any case where the dredger—

- (a) is blocking a channel;
- (b) is under way but unable to manoeuvre so as to give way to or avoid any other vessel;
- (c) is otherwise unable to move, or is out of control; or
- (d) is so placed or is so being worked as to constitute a danger to the safe navigation of any other vessel unless the appropriate signal is given,

commits an offence.

8. A master of a vessel shall not use or display or cause or permit any person on the vessel to use or display—

- (a) a signal set out in the second column of Table 1 or Table 2 in the Second Schedule to these regulations except for the purpose of conveying the message set out in the first column of Table 1 or Table 2, as the case may be, opposite to that signal; or
- (b) for the purpose of conveying a message set out in the first column of Table 1 or Table 2 in the Second Schedule to these regulations, a signal other than the signal set out in the second column of Table 1 or Table 2, as the case may be, opposite to that message.

9. The master of any vessel other than—

- (a) a vessel of war;
- (b) a vessel of which the gross registered tonnage does not exceed one hundred and fifty tons; or
- (c) a coasting vessel or an interstate vessel of which the master holds a Pilotage Exemption Certificate that is valid with respect to that port,

shall not cause or permit the vessel to enter or depart from any port at which pilotage is provided without having first taken on board a pilot.

10. (1) The master of a vessel approaching a port at which he is required to obtain the services of a pilot before entering the port shall—

- (a) lay to on the pilot boarding ground so as to provide the best possible lee;
- (b) provide on the lee side of the vessel a pilot ladder fitted with spreaders and a man rope on either side of the ladder made fast to the vessel quite independent of the ladder, and cause the ladder to be suitably illuminated if the pilot is to board the vessel at night;
- (c) if the vessel is of high structure, and is fitted with gangway doors, cause one gangway door to be opened and the ladder rigged at that doorway;
- (d) provide a suitable boat rope of which the forward end is fastened well clear forward of the ladder in readiness to be released when the pilot vessel has secured the boat rope; and
- (e) arrange for all scuppers, sanitary and other refuse outlets near the pilot ladder to be closed.

(2) The master of a vessel from which a pilot is being discharged after the vessel has departed from a port shall make arrangements similar to those set out in subregulation (1) of this regulation to assist the pilot leaving the vessel and boarding the pilot boat.

11. The master of a vessel onto which a pilot has been taken, shall, if requested, declare to the pilot the draught of the vessel.

12. The master of a pilot boat shall, at any time that the vessel is in service, cause to be so flown from the pilot boat as to be easily discernable from a reasonable distance a flag of which the upper half is white and the lower half red.

13. The master of any vessel that is employed to tow, move or in any way assist the manoeuvring of a vessel in the charge of a pilot shall obey all orders and directions of the pilot.

14. The master of any vessel that is within a port shall not move the vessel within the port without the consent of the Harbour Master and shall, if the Harbour Master so directs at a port at which pilotage is provided, obtain the services of a pilot before moving the vessel.

15. (1) The master or owner of any vessel other than—

(a) a vessel of war; or

(b) a vessel owned by any of Her Majesty's States or Colonies or the government of any country that is a member of the British Commonwealth of Nations, that is not engaged in trade or carrying goods under freight or charter,

for which the services of a pilot have been obtained at any port shall pay to the Harbour Master at that port the charge set out in Part I. of the Third Schedule to these regulations that is appropriate to the size and class of the vessel and the nature of the pilotage services obtained.

(2) For the purposes of subregulation (1) of this regulation, the services of a pilot are to be deemed to have been obtained—

(a) in respect of a vessel that could not conveniently be boarded by a pilot and was led into port by a vessel on which a pilot was on board for the purpose of guiding that firstmentioned vessel into port; or

(b) in respect of a vessel that was brought into or out of a port, or that was moved within a port, without the services of a pilot being obtained in circumstances in which, pursuant to the provisions of regulation 9 or regulation 14 of these regulations, as the case may be, the master was required to take a pilot on board the vessel.

16. (1) The master of a coasting vessel or an interstate vessel who wishes to obtain a Pilotage Exemption Certificate in relation to a port and who—

(a) is a natural born or naturalised subject of Her Majesty;

(b) has, within the immediately preceding period of two years made not less than three trips as master or chief officer into and out of the port in such a vessel; and

(c) has given to the Harbour Master at the port not less than twenty-four hours' notice of his intention to apply for a certificate together with a fee of five pounds,

may apply to the Harbour Master for a Pilotage Exemption Certificate in relation to that port.

(2) The master of an interstate vessel that is engaged in trading between Singapore as a terminal port and the State by way of all or any of the ports on the north-western coast of the State, may not apply under subregulation (1) of this regulation for a Pilotage Exemption Certificate without having first obtained the consent of the Manager to his so applying.

(3) The Harbour Master shall examine every applicant as to his knowledge of all matters concerning the navigation of vessels within the port, and, if he is satisfied that the applicant has sufficient knowledge of those matters to enable him to safely navigate a vessel into and out of the port without the services of a pilot, the Harbour Master may grant the applicant a Pilot Exemption Certificate in respect of that port.

(4) Subject to subregulation (6) of this regulation, a Pilotage Exemption Certificate remains in force only while the holder after the issue of the certificate—

- (a) submits to and passes once in each year an eyesight test conducted in a manner determined by the Manager; and
- (b) at least once in each period of five years makes one trip into and out of the port to which the certificate relates as master or mate of a vessel of a kind referred to in subregulation (1) of this regulation.

(5) The result of any eyesight test conducted in pursuance of subregulation (4) of this regulation shall be endorsed on the certificate of the person submitting to the test.

(6) The Manager may suspend any Pilotage Exemption Certificate if he is of the opinion that—

- (a) the carrying out of construction work in the port to which the certificate relates;
- (b) the alteration of the dredged area of that port; or
- (c) any other similar change in circumstances,

after the last trip by the holder of the certificate into or out of the port as master of a vessel may render the master unable to bring a vessel into or out of the port in absolute safety without the services of a pilot.

(7) The holder of a Pilotage Exemption Certificate that has been suspended by the Manager may apply to the Manager to be re-examined without fee, and the Manager shall cause the applicant to be examined by the Harbour Master at the port to which the certificate relates, and the provisions of subregulation (3) of this regulation apply in relation to any examination conducted under this subregulation.

17. (1) The master of a vessel approaching any port at which pilotage is provided who is, by reason of his being the holder of a Pilotage Exemption Certificate, entitled to bring the vessel into that port without taking on board a pilot, shall cause to be flown from the vessel from the time that the vessel is within five miles of the port until the vessel berths, a white flag.

(2) Where a master referred to in subregulation (1) of this regulation fails to comply with the provisions of that subregulation, the master or owner of that vessel shall be liable to pay the charges for pilotage that would have been payable if the services of a pilot had been obtained.

18. (1) The master or owner of any vessel other than—

- (a) a vessel of war;
- (b) a vessel owned by any of Her Majesty's States or Colonies or the government of any country that is a member of the British Commonwealth of Nations, that is not engaged in trade or carrying goods under freight or charter;
- (c) a mission vessel;
- (d) a vessel calling at a port either for the purpose of remedying a situation endangering the safety of the vessel or of obtaining medical treatment for a person on board;
- (e) a vessel owned and used solely for private pleasure purposes; or
- (f) except in relation to the Fishing Boat Harbour at the Port of Fremantle or Geraldton Inner Harbour, a fishing vessel used for professional purposes,

entering, calling at or using any port in the State shall pay to the Department conservancy dues calculated in accordance with the provisions of Part II of the Third Schedule to these regulations.

(2) The conservancy dues referred to in Part II. of the Third Schedule to these regulations are payable—

- (a) in the case of conservancy dues referred to in item 1, on the date of the first entry of the vessel into or on the first day of use of, the port in the period in respect of which the conservancy dues are payable;
- (b) in the case of conservancy dues referred to in item 2, on the day of entry of the vessel into the port;
- (c) in the case of conservancy dues referred to in paragraph (i) of item 3, on the first day of January;

- (d) in the case of conservancy dues referred to in paragraph (ii) of item 3, on the first day of July or the first day of January, as the case may be;
- (e) in the case of conservancy dues referred to in paragraph (i) of item 4, on the first day of January;
- (f) in the case of conservancy dues referred to in paragraph (ii) of item 4, on the first day on which the vessel makes use of the harbour.

(3) Where the master of a vessel entering or within any port claims, by reason of there having been made a payment in respect of conservancy dues referred to in item 1 of Part II. of the Third Schedule to these regulations, to be entitled to use that port for any period without further payment of conservancy dues, the Harbour Master may require the master or owner to produce satisfactory evidence of the payment so claimed to have been made and, subject to subregulation (4) of this regulation, where satisfactory evidence of that payment is not produced, the master or owner is liable to pay conservancy dues as if the payment claimed to have been made had not been made.

(4) Where the master of a vessel who—

- (a) has claimed to be entitled to bring the vessel into or use any port without payment of conservancy dues by reason of his previously having paid conservancy dues referred to in item 1 of Part II. of the Third Schedule to these regulations; and
- (b) has, by reason of his being unable to produce satisfactory evidence of that prior payment, been required to pay conservancy dues as if the prior payment claimed to have been made had not been made,

satisfies the Harbour Master or the Department that the payment claimed to have been made was made, there shall be paid to the master or owner an amount equal to the conservancy dues that were required to be paid in pursuance of subregulation (3) of this regulation.

19. (1) The master of any vessel shall obey all lawful orders of the Harbour Master, and generally follow such directions as the weather, the crowded conditions of the port or other circumstances may render necessary or expedient, in the judgment of the Harbour Master, for the safety and interest of the whole shipping.

(2) The Harbour Master of any port has the entire control of the anchoring, mooring, berthing and movement of all vessels within the port, and shall appoint the place where any vessel is to anchor, moor or lie in the port and the berth that any vessel is to occupy.

(3) The Harbour Master of a port may at any time order the master of a vessel within the port to move the vessel from its place in the port to any other place in the port.

(4) Where for any reason the order of a Harbour Master to move a vessel in a port is not complied with, the Harbour Master may move the vessel at the risk and expense of the master or owner thereof, and for that purpose may, at the expense of the owner or master of the vessel, break any anchor chain or rope or mooring line securing the vessel.

(5) The Harbour Master at a port may, and shall if so directed by the Manager, require the master of a vessel that is entering, departing from or being moved within the port, to engage the services of a tug for that purpose.

20. Subject to these regulations, the master of any vessel within a port shall, unless otherwise directed by the Harbour Master, comply with the following provisions:—

- (a) a vessel shall not be fastened to any part of a wharf except to the bollards or fastenings that are, or may be, provided for the purpose;
- (b) a vessel shall not lie alongside a wharf unless it is properly moored and fastened so as to relieve, as much as may be possible, the wharf from the weight of the vessel;
- (c) a vessel shall not be moored, anchored or lie in the vicinity of a wharf so as to create a second bank of vessels alongside the wharf;

- (d) a vessel shall not be moored or fastened to, or remain alongside, any wharf except for the purpose of, and for the period actually required for, the loading or unloading of cargo;
- (e) where the vessel, being a passenger vessel, has been brought alongside the steps provided at a wharf for the purpose of embarking or disembarking passengers, the master shall not permit the vessel to remain alongside those steps for any period longer than that necessary to complete the embarking or disembarking.

21. (1) The master of any vessel within a port—

- (a) shall anchor, moor or berth the vessel at the place appointed by the Harbour Master and in no other place;
- (b) shall forthwith comply with any order of the Harbour Master requiring him—
  - (i) to move the vessel from its place in the port to any other place in the port;
  - (ii) to put down additional anchors or mooring lines to secure the vessel; or
  - (iii) to slacken any anchor chains or ropes or mooring lines securing the vessel.

(2) The master of a vessel shall not, except in unavoidable circumstances or with the permission of the Harbour Master, beach the vessel within any port and, where a vessel is beached in a port, the master or owner of the vessel shall cause the vessel to be removed in accordance with the directions of the Harbour Master.

22. Where the Harbour Master of a port is satisfied that a dangerous situation exists in a port and that—

- (a) the presence of a vessel within the port constitutes a danger to the safety of persons, vessels or valuable property within the port; and
- (b) it is impossible to remove the vessel from the port or that the removal of the vessel would itself create a danger to the safety of persons, vessels or valuable property within the port,

he may order the master to forthwith scuttle the vessel and, if the master fails to comply forthwith with that order, the Harbour Master may by any means that he thinks fit scuttle the vessel.

23. (1) The master of any vessel berthed at any wharf or jetty shall, unless the Harbour Master otherwise directs, at all times that the vessel is so berthed—

- (a) cause the vessel to be fitted with such gangways and manropes as in the opinion of the Harbour Master are necessary for the safety and convenience of the public;
- (b) shall place under each gangway a safety net or other device that is, in the opinion of the Harbour Master, suitable to prevent any person using the gangway from falling into the water;
- (c) cause to be displayed between sunset and sunrise lights that adequately light any gangway fitted to the vessel; and
- (d) cause a watch to be kept upon the gangway.

(2) A person other than a member of the crew of the vessel or a person employed by the Department or any harbour authority shall not board or leave, or attempt to board or leave, a vessel before a gangway and net have been properly fitted and secured to the vessel.

(3) A person employed to control the use of any gangway shall not permit any person to leave or board, or to attempt to leave or board, a vessel before a gangway and net have been properly fitted and secured to the vessel.

24. (1) The master of any vessel exceeding one hundred and fifty tons gross registered tonnage shall, unless the Manager or the Harbour Master otherwise directs, cause a watchman to be kept on duty on the deck of the vessel between sunset and sunrise whenever the vessel is within a port.

(2) The master of a vessel exceeding one hundred and fifty tons gross registered tonnage shall, unless the Manager or the Harbour Master otherwise directs, cause one person to be on board the vessel between sunrise and sunset whenever the vessel is within a port.

(3) The master of any vessel of one hundred and fifty tons gross registered tonnage or less shall, if the Harbour Master directs, cause one person to be on board the vessel at any time that the vessel is within a port.

25. (1) Unless the consent in writing of the Harbour Master has been first obtained, the master of a vessel lying at any wharf shall not cause or permit the use of a flare-up lamp or naked light in any hold of the vessel.

(2) The Harbour Master of a port may board or enter any ship or place within the port to search for any fire, or any flare-up lamp or naked light that he suspects may be burning in a vessel or any other prohibited place in the port and may extinguish any such fire, flare-up light or naked light that he may find and take any other action he thinks necessary for the safety of the port.

26. Where a fire occurs on any vessel within a port, the master of the vessel shall forthwith notify the Harbour Master and his assistants and every person on board or belonging to the vessel shall render the Harbour Master and his assistants such assistance towards extinguishing the fire and protecting other vessels as the Harbour Master may direct.

27. The master of any vessel lying alongside a wharf in any port shall not—

- (a) cause or permit any carcass of a dead animal or any refuse, debris or rubbish from the vessel to be cast or deposited on the wharf or in the water near the vessel;
- (b) cause or permit waste from any lavatory or any water to be discharged from the vessel upon any portion of the wharf or steps attached to the wharf; or
- (c) unless the Harbour Master otherwise directs, remove the vessel from the wharf until all debris, rubbish and waste from the vessel has been removed from that portion of the wharf near which the vessel was lying.

28. A person shall not throw a carcass of a dead animal or any stone or debris overboard from a vessel within any port.

29. A person shall not smoke in the hold of any vessel within a port, or in any other part of a vessel in relation to which the master of the vessel or the Harbour Master directs that smoking is prohibited.

30. In regulations 31 to 48, inclusive, of these regulations, unless the contrary intention appears—

“inflammable liquid” means petroleum, kerosene, and any oil, liquid or spirit derived wholly or in part from any petroleum, shale, schist, coal, peat, bitumen or any similar substance, and which has a true flashing point of less than 150 degrees Fahrenheit, and any other liquid which the Governor by Proclamation in the Gazette declares to be an inflammable liquid for the purposes of these regulations;

“oil vessel” means any ship having on board or having lately had on board any inflammable liquid as cargo or part cargo, and includes a tank steamer, barge, or other vessel fitted to carry inflammable liquid.

31. The master of an oil vessel shall, at all times that the vessel is nearing or is at a wharf or jetty, display at the foremast head, or other conspicuous place clear of all obstructions so as to be clearly visible from any direction at a distance of at least one mile from the vessel—

- (a) by day, the International Code flag “B”; and
- (b) during the hours of darkness a red light so positioned as to be clear of all other lights on the vessel.

32. The agents or master of any oil vessel intending to load or unload any quantity in excess of 40 gallons of inflammable liquid, shall, immediately after making fast to any wharf or jetty, give notice in writing to the Harbour Master of that intention, with particulars as to the quantity of inflammable liquid intended to be loaded or discharged.

33. The master of an oil vessel shall not permit inflammable liquids to be discharged or loaded without first obtaining the written permission of the Harbour Master.

34. The master of an oil vessel shall moor his vessel only at such places as the Harbour Master shall from time to time direct, and he shall not remove his vessel from the place as directed without the written permission of the Harbour Master.

35. The master of an oil vessel having on board inflammable liquids other than as deck cargo, and all other persons concerned, shall observe and perform the following provisions, namely:—

- (a) after the vessel is made fast to a wharf or jetty, all holds, tanks, and spaces containing inflammable liquid shall be kept securely closed and fastened down, except when opened for the purpose of discharging;
- (b) an oil vessel with its cargo in bulk shall not be berthed until it is ready to load or discharge, and shall at all times continue and complete the loading or discharging with all possible despatch;
- (c) no hold, tank, or space containing inflammable liquid in containers shall be opened until all trucks or other vehicles into which such goods are to be loaded are placed alongside the vessel and all is in readiness to commence the work;
- (d) after the vessel is made fast to a wharf or jetty, all holds, tanks or spaces containing inflammable liquid shall be kept properly ventilated, to the satisfaction of the Harbour Master, to disperse all dangerous vapour that may be generated by the cargo or collected or lie in those places;
- (e) an oil vessel loading or unloading inflammable liquid in casks, barrels, or other receptacles or containers shall work its cargo or carry out any other work on board only as directed by the Harbour Master;
- (f) inflammable liquid contained in casks, barrels or other receptacles shall not be landed on any wharf or jetty from a vessel unless the casks, barrels or other receptacles are staunch and free from leakage and are of such strength and construction as to be not liable to break or to leak;
- (g) where the Harbour Master so approves in writing, inflammable liquid in bulk may be unloaded after sunset into shore tanks, and may, in special circumstances, be loaded into tank ships, and the following conditions and such other conditions as the Harbour Master may in those circumstances impose, shall be complied with—
  - (a) unless circumstances render it unavoidable, pipelines and hoses shall not be coupled, uncoupled, or otherwise interfered with, except in daylight; and
  - (b) sufficient electric flood lighting of approved type shall be provided to give ample light for all operations;
- (h) general cargo, other than deck cargo, shall not be unloaded after sunset on any day from any oil vessel without the approval in writing of the Harbour Master.

36. The master of an oil vessel shall not permit or suffer any unauthorised person to be on board the vessel while loading or unloading of inflammable liquid is in process, and shall display and keep displayed at the main gangway while occupying any berth at a wharf or jetty a conspicuous notice to the following effect:—

NO ADMITTANCE.

OIL SHIP.

NO SMOKING ALLOWED.

37. During the loading or unloading of inflammable liquid no person shall smoke or heat any combustible matter, rivet or chip iron, or clean boilers or boiler tubes, or carry out other work likely to cause ignition on board the oil vessel or any other vessel lying alongside, and no person engaged in that loading or unloading shall carry matches or other appliances for providing or capable of providing ignition.

38. (1) From the time when tanks of an oil vessel are opened for the purpose of discharging or loading inflammable liquid in bulk, and until such time as the operations of discharging or loading have been completed and the tanks have been thoroughly ventilated, no person shall use or permit or suffer to be used on the vessel, any fire, other than approved ship's boilers, or light other than a safety lamp approved by the Harbour Master, either on board or within 100 feet of the oil vessel, without the authority of the Harbour Master.

(2) Fires, lights, or electric apparatus, other than electric filament lamps or self contained lamps, heaters, cookers, or other types of safe apparatus so designed, constructed and maintained as to be incapable of igniting inflammable vapour, shall not be used on or near the wharf at which inflammable liquid is being discharged or loaded, or upon which inflammable liquid is lying.

39. (1) Before any pumping operations of inflammable liquids are commenced, and during the continuance of those operations, the master shall cause—

- (a) a competent signalling staff to be in attendance both at the tank installation and on board the oil vessel; and
- (b) telephonic communication between the same points to be established and maintained.

(2) A responsible person shall be detailed by the master for attendance on the wharf or jetty to superintend the opening and closing of valves and for patrol of the pipe line during the whole of the pumping operation, and pumping operations shall not be commenced before the correct position of all valves has been verified by the Harbour Master, and the Harbour Master is satisfied that all precautions necessary have and will be taken to prevent leakages.

40. (1) While pumping is in progress the lids, screw caps, or other removable coverings of the tanks shall be kept securely fastened or screwed down, except so far as may be necessary to enable discharge of the inflammable liquid to proceed, and where it is necessary to remove any lid, screw cap, or other coverings, safety wire gauzes shall immediately be properly fitted, or other effective measures immediately taken, by the master to prevent the ignition of the inflammable liquid or vapours.

(2) If any leakage occurs while inflammable liquid is being loaded onto or discharged from an oil vessel, the master of the oil vessel shall forthwith cause the loading or discharging to cease.

41. Where permission has been granted by the Harbour Master in writing for the pumping of inflammable liquids into or out of an oil vessel to be carried out between sunset and sunrise, and an interruption or stoppage of loading or discharging takes place, the pumping shall not be recommenced until after sunrise.

42. (1) When an oil vessel has completed discharging inflammable liquid in bulk, the connection or connections to the shore pipe line shall not be broken until the pipe line for its whole length has been completely and satisfactorily cleared of all inflammable liquid, and the Harbour Master approves the breaking of the pipe line.

(2) Immediately discharge of the inflammable liquid is suspended or completed, all lids, screw caps, or other coverings shall be replaced, securely fastened down and made gas tight.

43. (1) The boiler or galley fires other than those required to produce steam for pumping of an oil vessel carrying inflammable liquid in bulk shall not be alight from the time when the holds or tanks are first opened for the purposes of discharge unless the written authority of the Harbour Master is first obtained.

(2) The master shall not allow any furnace other than that required to produce steam for pumping or any galley or other fires to be alight on board an oil vessel while the running of water for ballast or other purposes into any tank, receptacle, or enclosure on the oil vessel which has contained inflammable liquids is being carried out.

(3) No ballasting shall be carried out unless all tanks are sealed down as required by the Harbour Master and the rate of ballasting any tank shall be so reduced as required by the Harbour Master, and any directions given by him for other safety measures to be taken while ballasting shall be strictly observed.

(4) No ballasting shall be carried out by the master until he is so permitted in writing by the Harbour Master, who shall lay down such further conditions under which ballasting may be carried out as he may in the circumstances consider necessary.

44. (1) All pipelines and connections thereto, flexible or otherwise, used between the oil vessel and the berth, shall at all times be kept in an oil and vapour tight condition and shall not leak.

(2) Inflammable liquid shall not be allowed to escape, either directly or indirectly, into any waters of the port.

45. The master of any oil vessel carrying inflammable liquid in bulk shall, immediately on the berthing of the vessel, have a steel wire hawser sufficiently strong to enable the oil vessel to be hauled away from the berth placed over the fore and aft ends of the oil vessel and made securely fast on board, and the hawser shall remain so placed while any inflammable liquid remains on board and until the oil vessel has been properly cleansed and ventilated.

46. The master of an oil vessel shall take all due precautions for the prevention of accidents by fire in the discharge of inflammable liquids, and shall himself remain, or cause a responsible officer of the vessel to remain, on board the vessel, together with a sufficient crew, during the whole time of discharge, or while any inflammable liquid remains on board.

47. The master of the oil vessel shall, when required so to do by the Harbour Master, do any act necessary to permit the Harbour Master to inspect and examine the inflammable liquid on board the vessel and any appliances to be used on the vessel for the purpose of ascertaining whether the provisions of these regulations are being observed and whether all other measures necessary for general safety are being taken.

48. (1) The loading or unloading of inflammable liquid into or from an oil vessel berthed at a wharf or jetty shall not be commenced unless—

- (a) a barricade capable of preventing any unauthorised person having access to the vessel and pipe line hose connections has been erected on the wharf or jetty; and
- (b) satisfactory provision has been made for watchmen to be in attendance to prevent the entrance of any unauthorised person and to take possession of matches from all persons passing through the barricade towards the oil vessel and to assist generally in the enforcement of these regulations.

(2) The erection and maintenance of the barricade and the employment or engagement of watchmen shall be carried out and arranged by or in accordance with the directions of and to the satisfaction of the Harbour Master.

(3) Any barricade erected on a wharf or jetty in pursuance of this regulation shall be so erected as to enclose an area of the wharf or jetty extending to a distance not less than 100 feet past each end of the oil vessel and 100 feet out from the vessel measured from the point on the side of the vessel closest to the wharf or jetty.

49. (1) A member of the Police Force may, where he considers it necessary for the due enforcement of these regulations, board any vessel within a port and search and inspect the vessel and any machinery, equipment, cargo or article in or on board the vessel.

(2) A person shall not interfere with or in any way obstruct a member of the Police Force acting in pursuance of subregulation (1) of this regulation.

50. Where by these regulations an act is required to be done, or forbidden to be done in relation to any vessel, the master of a vessel has, unless the contrary intention appears, the duty of causing to be done the act so required to be done, or of preventing from being done the act so forbidden to be done, as the case may be.

51. A master or other person who fails to do or does any act that by these regulations he is required to do, or is forbidden from doing, as the case may be, commits an offence and is liable on conviction to a penalty—

- (a) if the offence is committed by the master of a vessel—not exceeding twenty pounds; or
- (b) in any other case—not exceeding five pounds.

## FIRST SCHEDULE.

Table 1—Tidal Signals at Port Hedland.

Signals to be displayed from a flagstaff with a yard on the east side of the entrance to the Port:—

Height of tide.	Signal.
Less than 8 feet ....	No signal.
8 feet ....	One ball at the eastern yardarm.
9 feet ....	Two balls disposed horizontally at the eastern yardarm.
10 feet ....	Three balls disposed horizontally at the eastern yardarm.
11 feet ....	Four balls disposed horizontally at the eastern yardarm.
12 feet ....	One ball at each yardarm.
13 feet ....	One ball at the eastern yardarm and 2 balls disposed vertically at the western yardarm.
14 feet ....	One ball at the eastern yardarm and three balls, one at the side of the other two that are disposed vertically, at the western yardarm.
15 feet ....	One ball at the eastern yardarm and four balls disposed in the form of a rectangle at the western yardarm.
16 feet ....	Two balls disposed horizontally at the eastern yardarm and two balls disposed horizontally at the western yardarm.
17 feet ....	Three balls, one at the side of the other two that are disposed vertically, at the eastern yardarm, and two balls disposed horizontally at the western yardarm.
18 feet ....	Four balls disposed in the form of a rectangle at the eastern yardarm and two balls disposed horizontally at the western yardarm.

By night, each of the above signals may be displayed by the use of a white light for a ball.

Table 2—Tidal Signals at Broome and Derby.

1. Signals to be displayed, upon request, at each Port from the jetty at each Port.

Tide rising—by day, a black triangular shape; by night a green light.

Tide falling—by day, a black ball; by night a red light.

2. Signals to be displayed, upon request, at the Port of Broome and the Port of Derby from a flagstaff yard at the jetty at each Port—

Depth of Water	Signal by day	Signal by night
14 feet ....	A black ball over a black triangular shape over another black ball.	A red light over a green light over another red light.
15 feet ....	A black ball over a black triangle shape over a black oblong shape.	A red light over a green light over a white light.
16 feet ....	A black ball over a black triangular shape over another black triangular shape.	A red light over two green lights.
17 feet ....	A black ball over a black oblong shape over another black ball.	A red light over a white light over another red light.
18 feet ....	A black ball over a black oblong shape over a black triangular shape.	A red light over a white light over a green light.
19 feet ....	A black ball over two black oblong shapes.	A red light over two white lights.
20 feet ....	A black triangular shape.	A green light.

Table 3—Tidal Signals at Point Samson.

Signals to be displayed from a post at the jetty at that Port—  
 Tide rising—by day, a black triangle; by night, a green light.  
 Tide falling—by day, a black ball; by night, a red light.  
 Slack water, high or low—by day, a black square; by night, a white light.

## SECOND SCHEDULE.

Table 1—General Port Signals.

Purpose of Signal.	Signal to be displayed.
Pilot required ....	By day— 1. International Code Flag G; 2. International Code Flags PT; or 3. The Pilot Jack. By night— 1. A pyrotechnic light, commonly known as a blue light, shown every 15 minutes; 2. A bright white light flashed at short or frequent intervals just above the bulwarks of the vessel for a minute at a time; or 3. International Code signal PT by flashing.
Customs Officer required ....	International Code Flags E.H.C.
Medical Assistance required ....	International Code Flag W.
Police required ....	By day—International Code Flags S.T. By night—Two white lights shown five feet apart from the peak or other prominent place on the vessel.
Tug Boat required ....	By day— 1. International Code Flags Y.A., and, if more than one tug boat required, the International Code Flags to indicate the number required; or 2. Two blasts on whistle, one long and one short. By night—Two blasts on whistle, one long and one short.
Water required ....	International Code Flags Y.J.
Ash boat required ....	International Code Flags F.S.
Lighter required ....	International Code Flags Q.N., and, if more than one lighter required, the International Code Flags to indicate the number required.
Mail on board ....	International Code Flag Y.
Explosives on board	By day—International Code Flag B. at the foremast head or other prominent position. By night—A red light showed so as to be clear of all other lights on the vessel and clearly visible all round the horizon at a distance of at least one mile from the vessel.
Inflammable liquid on board ....	By day—A red flag not less than 3 feet square with a white circular centre 6 inches in diameter. By night—A red light of such character as to be visible all round the horizon at a distance of not less than one mile and so positioned as to be clear of all other lights on the vessel.

Table 2—Signals to be used by masters of dredging vessels.

Purpose of Signal.	Signal.
Dredging master requires any vessel approaching from seaward to keep the dredger on the starboard hand of that vessel and requires any vessel proceeding seaward to keep the dredger on the port hand of that vessel.	By day—a black triangle on the yard-arm on the side of the dredger to be passed. By night—a green light over a red light on the yardarm on the side of the vessel to be passed. In fog, mist, or heavy rain—the Morse sound signal letter "A" given at intervals of not more than two minutes on the dredger's bell.
Dredging master requires any vessel approaching from seaward to keep the dredger on the port hand of the vessel and requires any vessel proceeding seaward to keep the dredger on the starboard hand of that vessel.	By day—a red square on the yardarm on the side of the dredger to be passed. By night—a red light over a green light on the side of the vessel to be passed. In fog, mist, or heavy rain—the Morse sound signal letter "N" given at intervals of not more than two minutes on the dredger's bell.
Dredger is blocking channel	By day—a green cone between two red balls, shown vertically at the masthead. By night—a green light between two red lights shown vertically at the masthead. In fog, mist or rain—the Morse sound letter signal "S" given at intervals of not more than two minutes on the dredger's bell.
Vessel may pass on either side of the dredger.	By day—a white flag at the masthead. By night—a green light on both yard-arms.
Dredger is unable to move, or is out of control.	By day—a red flag on the masthead. By night—a red light on both yard-arms.
Self-propelled dredger that is under way, and is unable to manoeuvre so as to give way to or avoid other vessels.	By day—one red ball over one white diamond shape over one red ball, mounted vertically. By night—one red light over one white light over one red light, the lights being mounted vertically and so positioned as to be clearly visible at a distance of at least 2 miles.

The Morse sound signals referred to in this table shall be given as follows:—

- (a) A short ring—of 1½ seconds' duration;
- (b) a long ring—of 4 seconds' duration; and
- (c) Intervals between rings—of 1½ seconds' duration.

## THIRD SCHEDULE.

## Part I.

1. Subject to item 2 of this Schedule, the charges for pilotage of vessels into and out of ports in the State at which pilotage is provided are—

PORT.	Comprehensive charge for both inward and outward Pilotage.
Wyndham	One shilling per ton of the gross registered tonnage, but so that— (a) the minimum charge for any vessel shall be not less than £50; and (b) the maximum charge for any vessel shall not exceed £150.
King George Sound	£15.
Any other Port	Sixpence per ton of the gross registered tonnage, but so that— (a) the minimum charge for any vessel shall be not less than £10; and (b) the maximum charge for any vessel shall not exceed £60.

2. The comprehensive charges for the pilotage of vessels both from Geraldton Outer Harbour to Geraldton Inner Harbour and return shall be at the rate of three pence per ton of the gross registered tonnage, but so that the minimum charge for any vessel shall be not less than £10 and the maximum charge for any vessel shall not exceed £30.

3. The charges for pilotage of vessels being removed from a place in a port at which pilotage is provided to another place in that port are—

- (a) for a vessel of 1,000 tons gross registered tonnage or less, £7 10s.; and
- (b) for a vessel of more than 1,000 tons gross registered tonnage, £12.

## Part II

1. Conservancy dues payable on the day of first entry in respect of any vessel other than a vessel referred to in regulation 18.

	Per Ton of Gross Registered Tonnage. pence
(i) For use of every port within the State for a period of three months	2½
(ii) For use of any one of the Ports of Fremantle, Albany or Bunbury for a period of 3 months	1¼
(iii) For use of every port in the State where conservancy dues already paid under paragraph (ii) of this item for the balance of period for which that payment was made	1¼

2. Conservancy dues in respect of any vessel entering any port for coal, fuel oil, supplies or orders, and not loading or unloading cargo or taking on more than ten passengers may be paid at the rate of ten pounds per entry, instead of at the rates prescribed in item 1, on the first day of entry of the vessel.

3. Conservancy dues payable in advance in respect of vessels engaged in pearl-fishing north of North-West Cape—

	£	s.	d.
(i) Storeships, for each period of twelve months ending on 31st day of December in any year	3	10	0
(ii) Other pearl-fishing vessels, for each period of six months ending on the 30th day of June and the 31st day of December, respectively, in any year	1	10	0

4. (i) Conservancy dues payable in respect of the use by a fishing vessel of the Fishing Boat Harbour, Fremantle or the Inner Harbour, Geraldton for each period of twelve months ending on the 31st day of December in any year—

Length of vessel exclusive of bowsprit—

	Per Foot.
	s. d.
Not exceeding 20 feet	2 6
Over 20 but not exceeding 30 feet	3 6
Over 30 but not exceeding 40 feet	4 6
Over 40 but not exceeding 50 feet	5 0
Over 50 but not exceeding 60 feet	5 6
Over 60 but not exceeding 70 feet	6 0
Over 70 but not exceeding 80 feet	6 6
Over 80 but not exceeding 90 feet	7 6
Over 90 but not exceeding 100 feet	8 0
Over 100 feet	9 0

(ii) Where the use by a fishing vessel of either of the harbours referred to in this item commences after the 30th day of June in any year, the conservancy dues payable for the use of the harbour by that vessel shall be one-half of the rates prescribed in paragraph (i) of this item.

GIVEN under my hand and the Public Seal of the said State, at Perth, this nineteenth day of January, 1966.

By His Excellency's Command,

ROSS HUTCHINSON,  
Minister for Works.

GOD SAVE THE QUEEN ! ! !