



Western Australia

W.A. Marine (Emergency Procedures and Safety of Navigation) Regulations 1983

Compare between:

[25 Oct 2008, 01-b0-01] and [12 Dec 2009, 01-c0-07]

W.A. Marine (Emergency Procedures and Safety of Navigation) Regulations 1983

1. Citation

These regulations may be cited as the *W.A. Marine (Emergency Procedures and Safety of Navigation) Regulations 1983*¹.

2. Commencement

These regulations shall come into operation on 1 January 1984.

3. ~~Interpretation~~ Terms used

(1) In these regulations, ~~unless the contrary intention appears~~ —

~~*Authority* means the chief executive officer; and~~

~~*Code* means the Uniform Shipping Laws Code incorporating the amendments adopted by the Australian Transport Council on 1 October 2007;~~

~~*NSCV* means the National Standard for Commercial Vessels described in the Code.~~

~~Note: The definition of *Code* refers to the Code as amended by Amendment Lists 5 and 6 adopted by the Australian Transport Council on 1 October 2007 and available at http://www.nmsc.gov.au/uslcode_2.html. That version of the Code contains provisions that affect the operation of regulations that refer to it, and should be referred to when interpreting those regulations~~ in section 115 of the Act, as in existence on 1 October 2009.

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(2) In the provisions of the Code incorporated in these regulations, a term has the same meaning as it has in the Code.

[Regulation 3 ~~amended in~~ inserted: Gazette 11 Aug 1992 Dec 2009 p. 3978; 24 Oct 2008 p. 4672-3.] 5093.]

4. Application

~~These regulations apply to all vessels to which the Act applies.~~

5. Application Incorporation of Section 15 of Code

(1) ~~Subject to subregulation (2), the~~ The provisions of Section 15 of the Code, modified as set out in subregulation (2), are incorporated in these regulations and ~~shall~~ extend and apply to and in respect of all vessels and voyages to which the Act applies.

(2) ~~The incorporation and application of~~ For the purposes of subregulation (1) Section 15 of the Code ~~by subregulation (1)~~ is subject to the following modifications —

~~(a) clauses 4.1, 5.1, 7.2, 7.5, 7.6, 7.7, 7.8, 8.1, 8.3, 9.1 and 9.3 shall not apply to vessels of Classes 2B, 2C, 2D, 2E, 3A, 3B, 3C, 3D and 3E not exceeding 25 metres in length where the number of persons on board, excluding passengers, does not exceed 4;~~

~~(b) for clause 10.1 there shall be substituted the following —~~

~~“ 10.1 The master of modified as follows — a Class 1B vessel having a length in excess of 45 metres shall —~~

~~(a) drill those members of the crew assigned for special duties in connection with the assembly and use of rocket line throwing apparatus at such times as he thinks fit; and~~

~~(b) hold practices with the apparatus within 1 week of the commencement of an~~

~~agreement with a new crew and thereafter at intervals of not more than 3 months.~~

~~10.2 A practice with the rocket line throwing apparatus shall not be held —~~

~~(a) other than during the hours of daylight; or~~

~~(b) [reference](#) in a port where the firing of the rocket would be likely to cause damage to property.~~

~~10.3 Nothing in this regulation authorizes or requires a practice with rocket line throwing apparatus that would involve a contravention of any other law. —”;~~

~~and~~

~~(c) Part III shall be deleted.~~

~~6. Responsibility of master of certain vessels~~

~~The master of a vessel to which various clauses of Section 15 of the Code do not apply by reason of regulation 5(2)(a) shall ensure that — [to Part E of the National Standard for Commercial Vessels does not include a reference to either of the following —](#)~~

~~(a) the crew of the vessel is familiar with the procedure for launching survival craft;~~

~~(b) survival craft are kept ready for launching at all times;~~

~~(c) all crew members are instructed in and familiar with fire fighting procedures; and~~

~~(d) all crew members are familiar with collision procedures.~~

~~(a) [Part E item 2.8.5.2 of that Standard;](#)~~

~~(b) [Part E item 2.11.1.3 of that Standard.](#)~~

~~[\[Regulation 4 inserted: Gazette 11 Dec 2009 p. 5093-4.\]](#)~~

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[5, 6. Deleted: Gazette 11 Dec 2009 p. 5093.]

7. Offences

The master of a vessel or any other person who without reasonable excuse contravenes or otherwise fails to comply with a requirement of these regulations is guilty of an offence and is liable on conviction to a fine of \$1 000.

~~**[8. Construction of Code**~~

~~In the construction of the Code as incorporated in these regulations, words and expressions defined in the NSCV, Part B, Clause 1.8 shall, unless otherwise provided by the Act or these regulations, have the meanings assigned in that clause.~~

~~[Regulation 8 inserted in Deleted: Gazette
24 Oct 2008 11 Dec 2009 p. 4673 5094.]~~

9. Classification of vessels

For the purposes of these regulations, vessels shall be classified in the manner provided by clause 6 of Section 1 of the Code.

Notes

- ¹ This is a compilation of the *W.A. Marine (Emergency Procedures and Safety of Navigation) Regulations 1983* and includes the amendments made by the other written laws referred to in the following table. [The table also contains information about any reprint.](#)

Compilation table

Citation	Gazettal	Commencement
<i>W.A. Marine (Emergency Procedures and Safety of Navigation) Regulations 1983</i>	1 Jul 1983 p. 2182-3	1 Jan 1984 (see r. 2)
<i>W.A. Marine Amendment Regulations 1992 Pt. 5</i>	11 Aug 1992 p. 3976-80	11 Aug 1992
Reprint of the <i>W.A. Marine (Emergency Procedures and Safety of Navigation) Regulations 1983</i> as at 4 Jan 2002 (includes amendment listed above)		
<i>W.A. Marine (Emergency Procedures and Safety of Navigation) Amendment Regulations 2008</i>	24 Oct 2008 p. 4672-3	r. 1 and 2: 24 Oct 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 25 Oct 2008 (see r. 2(b))
W.A. Marine Amendment Regulations 2009 Pt. 5	11 Dec 2009 p. 5087-109	12 Dec 2009 (see r. 2(b))