

Western Australia

Western Australian Marine Act 1982

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

As at 25 Oct 2008

Version 01-b0-01

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

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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

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.

*[Regulation 3 amended in Gazette 11 Aug 1992 p. 3978;
24 Oct 2008 p. 4672-3.]*

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4. Application

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

5. Application of Section 15 of Code

- (1) Subject to subregulation (2), the provisions of Section 15 of the Code 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 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 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) 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 —

- (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.

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 Gazette 24 Oct 2008 p. 4673.]

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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.

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))