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Crown Law Department,
Perth, 3rd December, 1974.

THE undermentioned Regulations made under the provisions of the Jetties Act, 1926-1965, and amended from time to time up to and including the 9th November, 1973, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister for Justice.

R. M. CHRISTIE,
Under Secretary for Law.

JETTIES ACT, 1926-1965.

JETTIES ACT REGULATIONS, 1940.

Published in the *Government Gazette* on the 6th September, 1940 and reprinted in the *Government Gazette* published on the 1st August, 1961, incorporating the amendments thereto up to and including the 28th February, 1961 and now reprinted incorporating the further amendments thereto published in the *Government Gazette* on the 26th October, 1962; the 20th December, 1962; the 7th February, 1963; the 16th September, 1963; the 23rd June, 1964; the 11th August, 1964; the 9th December, 1964; the 8th February, 1965; the 12th May, 1965; the 26th May, 1965; the 10th June, 1965; the 1st September, 1965; the 17th March, 1966; the 14th April, 1966; the 4th June, 1968; the 30th December, 1968; the 24th November, 1972; the 15th June, 1973; the 19th October, 1973 and the 9th November, 1973, and the amendments that, pursuant to the provisions of section 8 of the Decimal Currency Act, 1965, are deemed for the purposes of this reprint to be amendments to the regulations; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice, dated 29th November, 1974.

JETTIES ACT REGULATIONS, 1940.

Reg. 2.
Amended by
G.G.
24/11/72,
p. 4486.

1. These regulations may be cited as the Jetties Act Regulations, 1940.
2. These regulations are divided into Parts, as follows:—
 - Part I.—Regulations 4-67D: To apply to all jetties controlled by the Department.
 - Part II.—Regulations 68-94: To apply to all jetties within the Port of Perth as proclaimed from time to time under the Ports and Harbours Act, 1917.
 - Part III.—Regulations 95-105: Special provisions to apply at particular ports.
 - Part IV.—Regulations 106-108: Breach of regulations and penalties.

Appendix—

- I.—Fees.
- II.—Forms.

Interpretation.

Reg. 3.
Amended by
G.G. 17/3/60,
p. 777.

3. In the construction and for the purposes of these regulations, the following terms shall, if not inconsistent with the context or subject-matter, have the respective meanings hereby assigned to them:—

“Jetty” means any jetty, pier, wharf, grid, slip or landing place.

“Public jetty” means a jetty the property of Her Majesty and includes a jetty the property of Her Majesty vested in any person on behalf of Her Majesty.

“Department” means the Department concerned, subject to the control of the Minister, with the administration of this Act.

“Premises” means any premises appurtenant to jetties controlled by the Department.

“Vessel” means any ship, lighter, barge, boat, raft or craft of whatsoever description and howsoever navigated.

“Officer” means any Wharfinger or Servant of the Department.

PART I.

To Apply to all Jetties Controlled by the Department.

Arrival and Movement of Vessels.

4. Master to report arrival.—The master or agent of a vessel shall immediately report the arrival of the vessel at any jetty to the officer in charge and make all arrangements for the discharge and receipt of cargo in accordance with these regulations, and such vessel shall not leave the jetty until all charges have been paid in accordance with these regulations.

5. Vessels to change berths.—Vessels, after having discharged or taken in their cargo, shall be moved to any berth or anchorage pointed out by the officer in charge.

Berthing Dues.

6. Berthing Due shall be paid:—

(a) All vessels using jetties shall be charged berthing dues, as provided for in Appendix I of these regulations.

(b) All vessels lying alongside jetties and transshipping cargo to or from lighters or other vessels shall be charged the like berthing dues in respect thereof, as if the said cargo had been landed on or taken off the jetties in place of being taken from or placed in such lighters or vessels as aforesaid.

7. Computation of berthing dues.—In the computation of berthing dues for cargo carrying vessels the officer in charge shall have the option in determining the dues of proceeding on a weight basis of a tonne or a measurement basis of one cubic metre or in the case of bulk oils and fuels one kilolitre for the cargo in respect of which such dues are levied except as follows:—

one bullock, cow, steer, heifer or suchlike animal one tonne fifteen sheep, pigs, goats or suchlike one tonne.

8. Inwards Manifests.—The master of every vessel arriving shall deliver at the office of the officer in charge, prior to commencing to discharge cargo, a true, legible, and complete copy of the manifest of the said vessel, certified to by himself as being true and complete, and shall also furnish within 48 hours a certified statement of all alterations (if any) which may be made in such manifest by reason of re-measurement of goods included therein or otherwise. In the event of a vessel not discharging any cargo, a "Nil" manifest must be furnished.

9. Outwards Manifests.—The master of every vessel shall deliver at the office of the officer in charge, prior to the clearance of the vessel in which outward cargo is shipped, a certified copy of the manifest, giving true, legible, and complete particulars of such goods as will enable the amount of outward wharfage dues payable thereon to be readily computed. In the event of a vessel not shipping any cargo a "Nil" manifest must be furnished.

Wharfage Dues and Handling and Haulage Charges.

10. Where, in these regulations, an amount of money is expressed (either by words or figures) in pounds, shillings or pence, or any combination thereof, and following that amount, in parenthesis, there is specified an amount, (either by words or figures), purporting to be an amount of money expressed in terms of decimal currency, then, the amount so specified shall, on and after the 14th February, 1966, be substituted for the amount expressed in pounds, shillings or pence or combination thereof.

10A. Payment of Dues and Charges:

- (1) The appropriate wharfage dues, and handling and haulage charges as prescribed in Appendix I of these regulations shall, unless otherwise provided, be paid in respect of goods landed from or loaded into any vessel.
- (2) The dues and charges so payable shall be based, at the option of the wharfinger or officer in charge, on the measurement or weight of the goods as declared on the vessel's manifest.

10B. Handling Charges Subject to Variation and Special Dues:

- (1) Notwithstanding any other provision of these regulations to the contrary the following variations to handling charges and special charges shall apply at the ports specified in this regulation:—
 - (a) [*Deleted by G.G. 24/11/72, p. 4487.*]
 - (b) [*Deleted by G.G. 24/11/72, p. 4487.*]
 - (c) Special Charge on Cargo passing over Jetties in Road Vehicles.—A special wharfage use charge of seven and one half cents per ton shall be paid in respect of all inward and outward cargo conveyed to or from a vessel's side by road vehicles on any public jetty.
- (2) [*Deleted by G.G. 24/11/72, p. 4487.*]
- (3) Special rates to apply at the ports of Carnarvon, Onslow, Point Samson, Broome, Derby and Wyndham:—

Where cargo is delivered direct to road vehicles from ship's slings for consignment off the jetties, or shipped direct from road vehicles to ship's slings, half the scheduled rates will apply.

10C. [*Added by G.G. 12/7/57, p. 2270. Revoked by G.G. 24/11/72, p. 4487.*]

Reg. 7.
Substituted
by G.G.
15/6/73.
p. 2237.

Reg. 10
published
6/9/40.
p. 1622-40.
Disallowed
19th October,
1940.
New Reg. 10
inserted
1/9/65.
p. 2591.
Reg. 10A.
Added, G.G.
12/7/57.
p. 2269.

Reg. 10B.
Added by
G.G. 12/7/57.
p. 2269, and
substituted
by G.G.
17/3/60.
p. 777.
Amended by
G.G. 12/5/65.
p. 1464.
G.G. 1/9/65.
p. 2591.
G.G.
24/11/72.
p. 4487.

Reg. 11.
Amended by
G.G. 12/7/57,
p. 2270;
G.G.
24/11/72;
p. 4487;
G.G. 15/6/73,
p. 2237.

11. Charges for Transshipment Cargo:

- (1) Full wharfage dues one way only shall be payable on cargo for transshipment if landed on a jetty, but if passed overside from one vessel to another for conveyance to destination, or temporarily, the wharfage dues shall be ten cents per tonne; in both cases handling and haulage charges shall be payable as per rates shown for other cargo, according to the services rendered in each case.
- (2) [*Deleted by G.G. 24/11/72, p. 4487.*]

11A. [*Added by G.G. 12/7/57, p. 2271. Revoked by G.G. 24/11/72, p. 4487.*]

Added as
Reg. 11A by
G.G. 17/3/60,
p. 778.
Here
renumbered
Reg. 11B.
Amended by
G.G.
24/11/72,
p. 4487;
G.G. 15/6/73,
p. 2237.

11B. Charges on Vessels' Stores, including Fuel Oil:

- (1) Material and equipment passing over jetties and to be used for the repair and refitting of a vessel, its machinery or equipment whilst it is in the port, and all consumable stores loaded into a vessel for the vessel's own use, excepting fuel oil on which an inwards wharfage rate has not been paid at the port, shall be exempt from the payment of outward wharfage.
- (2) The outwards wharfage rate on fuel oil loaded into a vessel as bunkers supplied for that vessel's own use, and upon which an inwards wharfage rate has not been paid, shall be forty four cents per kilolitre, payable by the suppliers of the oil.
- (3) [*Revoked by G.G. 24/11/72, p. 4487.*]

12. Charges to be paid before delivery of Cargo.—All wharfage dues and handling or other charges incurred, payable in respect of cargo discharged or shipped, shall become payable to the officer in charge on the discharge or shipment of the said cargo, and shall be paid on demand, and each bill of lading, as shown on the manifest, must be cleared by one payment. No inward cargo shall be delivered to the consignee or owner thereof, nor outward cargo to the vessel in which it is intended that same shall be shipped, until the written receipt of the officer in charge shall have been presented to the consignee or owner, or to the shipper or master of the vessel, respectively, for the payment of all wharfage dues and charges as aforesaid in respect of such cargo: Provided always, that it shall be competent, but not compulsory (in the case of outward cargo) for the officer in charge to accept from the agent or the master a guarantee in writing that such dues shall be paid to him within 24 hours of the clearance of the vessel.

Reg. 13.
Amended by
G.G. 15/6/73,
p. 2237.

13. Extra Charges.—The officer in charge may make extra charges for handling packages over one tonne in weight, or of an exceptional shape, or where extra labour is required or unusual risk is involved.

Reg. 13A.
Added by
G.G. 26/5/65,
p. 1614.
Substituted
by G.G.
24/11/72,
p. 4487.

13A. Handling Charges in Special Cases.

- (1) Where any variation occurs in the method of, or conditions relating to, the handling of cargo whereby the complete service as contemplated is not rendered by the Department, or where any handling service not defined in these regulations is required, the Manager shall determine the appropriate rate or amount of handling charges in each case.
- (2) Where goods have been pre-palletised, preslung or unitised and are handled in a manner whereby the full service as contemplated or defined in these regulations is not necessitated the handling charges may be rebated by an amount equivalent to one-third of the charge for the complete service, on the condition that—
 - (a) the handling shall be by arrangement with and at the complete discretion of the Manager; and
 - (b) the convenience and expeditious working of other cargo-handling activities in the Port are not prejudiced.

Handling of Cargo.

14. Cargo not to be placed on Jetties or any premises appurtenant thereto or used in connection therewith without Authority.—No goods shall be landed or placed on any jetty or any premises appurtenant thereto or used in connection therewith without the written authority of the officer in charge. Cargo discharged without such authority having been first obtained shall not be deemed to be in the custody of the Department, nor shall the Department be held responsible for any loss or damage that may accrue to any such cargo from any cause whatsoever.

Reg. 14.
Amended by
G.G. 3/11/50,
p. 2461.

15. Officer in Charge may stop Vessels discharging Cargo.—If it appears that goods are being landed and cannot, in the opinion of the officer in charge, be removed in time to prevent a "block," the officer in charge may give notice in writing to the masters or persons in charge of vessels, or lighters, from which goods are being discharged, to stop discharging cargo, and upon such notice being given no further cargo shall be discharged until such time as the officer in charge may direct.

16. Goods not to be shifted without Authority.—No person shall shift from one vessel to another, or from any part of a jetty to any other part thereof, any goods or luggage without the authority of the officer in charge.

17. Cargo in bulk not to be deposited on any Jetty without Authority.—No ballast, stone, coal, coke, timber, sand, or other goods or other materials in bulk shall be deposited on any jetty without special permission in writing of the officer in charge.

18. Outward Cargo Advice Notes required.—No person shall enter on any jetty with goods for shipment without first delivering to the officer in charge an outward cargo advice note, as required by the Department, containing true and full account, with gross measurements or weights of such goods then under his immediate control.

19. Outward Cargo.—All outward cargo must be delivered into the shed at least four working hours prior to vessel's advertised time of arrival.

Reg. 19.
Amended by
G.G. 19/7/56,
p. 1781.

20. Dangerous Cargo not to be Shipped without permission.—No person shall carry, send or deposit, or attempt to carry, send, or deposit, or permit to be sent, carried, or deposited on any jetty or premises of the Department, any loaded firearm or dangerous cargo which is by these regulations or any other jetty regulations now or hereafter to be in force, declared to be of a dangerous nature, or any package containing such goods, without the consent in writing of the officer in charge of such jetty, and without distinctly marking such package on the outside with a description of its contents sufficiently for its identification.

21. Dangerous Cargo may be Refused or Examined.—The officer in charge of any jetty may refuse to take any parcel which he may suspect to contain goods of a dangerous nature, or may require any parcel to be opened and examined for the purpose of ascertaining its contents.

22. Marking of heavy Packages:—

(a) Every package or article of a gross weight of one tonne or over, intended for shipment as cargo, shall, before being delivered to and received by the Department for the purpose of being loaded on to a vessel, have prominently marked thereon, or on a label securely attached thereto, in legible and non-erasable characters not less than twenty-five millimetres in height, a statement of the approximate gross weight set out in tonnes (expressed to one decimal place) of such package or article.

(b) No package or article of cargo of a gross weight of one tonne or over shall be unloaded from any vessel on to any jetty of the Department unless and until it shall have prominently marked thereon, or upon a label securely attached thereto, in legible and non-erasable characters not less than twenty-five millimetres in

Reg. 22.
Amended by
G.G. 15/6/73,
p. 2237.

height, a statement of the approximate gross weight set out in tonnes (expressed to one decimal place) of such package or article.

(c) Provided that—

- (i) in the case of articles such as logs, baulks of timber, or other articles, which by reason of their nature or place of consignment or despatch for shipment, or for any other good reason it is not practicable to weigh, but which apparently weigh more than one tonne, the gross weight of the article may be stated approximately within a limit of one tonne, that is to say, as follows:—"Over one but under two tonnes," or as the case may be;
- (ii) when it is neither practicable to weigh nor to mark or label legibly any package or article as required by paragraph (a) or paragraph (b) of this regulation, and such package or article is sought to be unloaded from a vessel which has conveyed the same from a place beyond Australia, and, if the package or article is not marked or labelled with the gross weight thereof to a limit of one tonne, as exemplified in paragraph (i) of this proviso then, before such package or article is unloaded from such vessel on to any jetty of the Department, the master of such vessel shall arrange for some competent person, on his behalf, to supply the officer in charge of such jetty with particulars of the approximate weight of such package or article, if the same appears to weigh more than one tonne.

23. False statements.—No person shall make a false statement as to the nature, quantity, weight, measurement, value or otherwise of any goods delivered upon any jetty or premises of the Department in any consignment note, waybill, exemption declaration, or other document which under any regulation now or which shall hereafter be in force he is required to deliver in respect to such goods.

Receipt, Delivery, and Storage of Cargo.

Reg. 24.
Substituted
G.G.
19/10/73,
p. 3818.

24. Removal of Cargo.—(1) The officer in charge shall, as early as possible, remove all cargo landed on a jetty to the goods shed, or other convenient place.

(2) Subject to subregulation (3) of this regulation, a consignee shall take delivery of and remove his cargo from the goods shed or yard within three days of the cargo being received into the goods shed or yard unless otherwise directed by the Minister.

(3) Cargo consigned through the ports of Broome, Derby and Wyndham for delivery to stations or other isolated consignees outside those townsites, shall take delivery of and remove their cargo from the goods shed or yard within seven days of it being received into the goods shed or yard.

Reg. 25.
Substituted
by G.G.
19/10/73,
p. 3818.
Amended by
G.G. 9/11/73,
p. 4192.

25. Storage and Cargo and Charges.—(1) Subject to these regulations, where goods have not been removed from a jetty, shed or yard within the time prescribed by these regulations the following storage charges shall be payable to the officer in charge:—

- (a) Transit cargo—20 cents per tonne or part thereof or 20 cents per cubic metre or part thereof per day but where the consignee is a person to whom subregulation (3) of regulation 24 applies and the officer in charge is satisfied that the roads are impassable due to adverse weather conditions he may waive the storage charges for any period that he considers reasonable.
- (b) Trans-shipment cargo or cargo landed and trans-shipped—20 cents per tonne or part thereof or 20 cents per cubic metre or part thereof per week for a maximum period of two weeks and thereafter the rates in paragraph (a) of this regulation shall apply.

(c) For the purposes of this regulation a fraction of a tonne shall be deemed to be a tonne and a fraction of a cubic metre shall be deemed to be a cubic metre and a part of a week shall be reckoned as one week.

(2) If the consignee or owner hands to the Department an indemnity in the form provided and approved by the officer in charge, relieving the Department from all liability, the storage charges on goods for which goods shed accommodation is not provided, and which are not protected from the weather, may be reduced by one-half.

(3) Notwithstanding anything herein contained, the officer in charge may remove or order the removal of all or any goods at any time after the time hereinbefore appointed for their removal by the consignee, and in the event of such goods being removed by or on the orders of the officer in charge the Department shall not be responsible for any loss, damage or injury whatsoever or howsoever occasioned to the goods by reason of their being removed into the open.

25A. [Added by G.G. 12/7/57, p. 2271. Revoked by G.G. 24/11/72, p. 4487.]

26. Department not bound to find Storage accommodation.—The Department shall not be bound to find storage room for any goods, either in any shed or on any jetty. After notification to the owners, shippers, or consignees of any goods, or to the vessel's agent, that room is not available for the storage of such goods within a shed, or that such goods are owing to their character not permitted by some authority other than the Department to be stored in a shed, the Department shall not be held responsible for any loss or damage that may accrue to the goods, by the elements or otherwise during the time they remain on the Department's premises.

27. Goods may be Disposed of.—The officer in charge shall (unless an agreement has been made by the consignee with him to the contrary) be at liberty to sell by public auction any goods which have been left on the premises of the Department for a period exceeding six months, and out of the proceeds of such sale shall pay to the Department all charges due, and the balance of such proceeds, after deducting any expenses incurred by such sale, shall be paid by the officer in charge into the Trust Fund, and be refunded to the owner of the goods on demand.

28. Goods to be checked before Delivery.—No person shall remove any goods or luggage from any jetty or shed without first satisfying the officer in charge of his right to do so; and shall, before removing same, sign for such goods or luggage to the officer in charge.

29. Delay in Delivery.—The Department will not be responsible for any claim arising from delay in the delivery of goods from any cause whatsoever.

30. Wrong Delivery.—The Department will not be responsible for the wrong or non-delivery of goods which are erroneously or deficiently marked, or which have numerous old or imperfectly erased marks thereon.

Responsibility of the Department.

31. Cargo in Custody of the Department.—(a) Inward cargo shall not for any purpose whatever be deemed to be in the custody of the officer in charge until the sling is released from the ship's crane or hoisting hook, or deposited on the jetty or conveyance provided by the officer in charge to receive the same.

(b) Outward cargo shall be deemed to be in the custody of the vessel when the vessel's crane, or hoisting hook, is inserted in the sling.

32. Receipts from the Department.—No goods for which receipts have not been given by the Department shall be deemed, for any purpose, to be in the custody of the Department as wharfingers, nor shall the Department be responsible for the safe custody, or for any loss or damage that may accrue to same in any manner whatsoever.

33. Goods stacked on Jetties.—The Department and the officer in charge shall not be liable for any loss, damage, or injury whatsoever or howsoever occasioned to any goods stacked on any jetty for the convenience of owners, consignors, or consignees, unless such loss, damage, or injury is proved to have been occasioned by the wilful misconduct of some officer of the Department.

34. Cargo damaged by Fire, etc.—The Department shall not be responsible for loss or damage to goods while in their custody, by fire, water used in extinguishing fire, or vermin.

35. Goods insufficiently Packed.—Whenever in the opinion of the officer in charge goods are wholly unprotected, or insufficiently packed or protected, so as, in his opinion to require additional labour in handling, or to involve the Department in additional risk in handling, an additional charge for labour shall be imposed on such goods, and the Department shall in no case be liable for damage to goods caused by or contributed to by insufficient packing or protection. The additional charge in each case shall be determined by the officer in charge.

Claims.

Reg. 36.
Amended by
G.G.
24/11/72,
p. 4487.

36. Claims in respect of Cargo.—No claim will be entertained by the Department in respect of goods landed, or alleged to be landed, unless such claim has been received by the officer in charge, in writing within four days of the vessel leaving the port, nor in respect of outward goods, unless received by the officer in charge within twenty-four (24) hours after the vessel in which it was intended to ship such goods leaves the port. Each claim must be rendered on the form recognised by the Department, which form will be supplied on application.

Working Hours.

Reg. 37.
Amended by
G.G. 17/3/60,
p. 778.

37. Ordinary Time.—The working hours of any port shall be and include the hours from 8 a.m. till noon and from 1 p.m. to 5 p.m., Monday to Friday inclusive.

38. Overtime.—The cost over and above the ordinary cost of day work, of all labour and supervision, etc., employed during any hours, not being working hours as above defined, or on holidays, shall be paid for by the vessel in addition to the usual charges. The extra cost of lighting a shed or berth to enable a vessel to work during any hours, not being working hours, or on holidays as aforesaid, shall also be paid by the vessel.

Reg. 38A.
Added by
G.G. 12/7/57,
p. 2271.

38A. Wages Incurred through Ships' Delays to be Paid for.—Where by reason of delay which is caused by a vessel through the breakdown of the gear, or through the time occupied in the rigging of its gear, or through the fact that more than average time is taken in handling its cargo, the department is involved in the payment of wages to persons engaged to handle its cargo, the master or owner of the vessel shall, on demand by the department, pay to the department the amount of those wages.

39. Master to give notice of desire to Work.—The master of a vessel desiring to work any hours, not being working hours as defined above, shall give to the officer in charge, two hours' notice, and on holidays twelve hours' notice, of his desire to do so.

Livestock or Vehicles on Jetties or Premises.

40. Livestock on Jetties or Premises.—No person shall drive or negligently allow any cattle, horse, sheep, swine, or other animal to stray upon any jetty or premises of the Department.

41. Riding Vehicles, etc., on Jetties or Premises.—No person shall ride or drive any horse or bicycle, motor car, or other vehicle upon or along any jetty or premises, or any pathway or other way used in connection with the jetty or premises of the Department without the permission of the officer in charge of the jetty.

Reg. 41.
Amended by
G.G. 17/3/60,
p. 779.

41A. Vehicles not to be Parked on Jetties.—No person shall drive, park, stand, or leave unattended a vehicle on a jetty or the approaches to a jetty unless he is expressly authorised to do so by the officer in charge of the jetty and then only if that person drives, parks, stands, or leaves unattended, the vehicle for the purpose of loading or unloading stores or cargo on or from the vehicle.

Reg. 41A.
Added by
G.G. 17/3/60,
p. 779.

41B. Department Not Responsible for Vehicles on Jetties.—Where permission has been granted under these regulations to a person to drive a vehicle on to a jetty the Department will not be responsible to any person for damage caused to the vehicle, or to any other vehicle, or to any person by that vehicle while on the jetty or the approaches to the jetty.

Reg. 41B
Added by
G.G. 17/3/60,
p. 779.

42. Drivers of Vehicles to obey Instructions.—Every driver of a car, cart, dray, or other vehicle shall, while in or upon any jetty or premises of the Department, obey the reasonable instructions and directions of any authorised employee of the Department.

43. Persons not to be on Jetties when Livestock is being Handled.—No person shall remain on or pass over any jetty while livestock is being landed or shipped, unless by the permission of the officer in charge.

Miscellaneous Regulations.

44. Bill Posting, Defacement, and Obscenity.—No person, unless authorised in writing by the Department, shall—

- (a) post, stick, paint, or write, or cause to be posted, stuck, painted, or written any placard, bill, advertisement, sign, or other matter within or on any jetty post, fence, gate, platform, wall, building, or other property or premises of the Department;
- (b) deface any writing or printing on or attached to any board or any notice authorised to be maintained on any jetty, or on any carriage or rolling stock, or on any fence or building upon any jetty or premises of the Department;
- (c) write any indecent words or draw any indecent or obscene picture or representation on any part of any jetty, or on any carriage or rolling stock, or on any fence or building upon any jetty or premises of the Department.

45. Disorderly persons:

- (a) No drunk, idle, or disorderly person shall enter or remain in or upon any jetty, shed, vehicle, or premises of the Department.
- (b) No person shall behave in a violent or offensive manner to the annoyance of others, or write or use any insulting, indecent, obscene, blasphemous, or abusive words, or wilfully interfere with the comfort of any person in or upon any jetty, shed, vehicle, or premises of the Department.
- (c) No person shall commit any nuisance or gamble in or upon any jetty, shed, vehicle, or premises of the Department.

46. Fires not to be Lit.—No person shall, under any pretext whatever, light, place, or keep a fire upon or so near as to endanger any jetty, shed, car, carriage, or other work of a like nature, nor in or upon any tramway or premises whatsoever of the Department constructed entirely or in part of wood.

47. Gates to be Shut.—No person shall neglect to shut any gate or slip panel in any fence forming the boundary of or upon or adjoining any jetty or premises of the Department.

48. Interference with Lights.—No person shall interfere with, damage, or remove any portion of any electric or other type of light or lamp or the mains or fittings thereof, on any jetty, vehicle or premises of the Department.

49. Interference with or damaging Property.—No person shall do, attempt to do, assist or aid in doing cause or procure to be done, any of the following things:—

- (a) place any rolling stock or appliance on any tramway or premises without lawful authority so to do;
- (b) move any part of the rolling stock or appliances on any tramway or premises, or leave the same on any part of the tramway or premises without lawful authority so to do;
- (c) move or in any way interfere with any signals, points, stop blocks, or show any signal whatsoever likely to mislead;
- (d) remove from any jetty or premises of the Department any rolling stock, tarpaulins, tools, appliances, or property of any kind, or permit any of such rolling stock, tarpaulins, tools, appliances, or property to be unlawfully in his possession or on his premises;
- (e) damage any jetty or any locomotive, carriage, wagon, rolling stock, machinery, material, or thing used upon or belonging to any jetty or premises of the Department.

50. Lost Property.—Any person who finds any lost property upon any jetty or premises, or in any carriage or other vehicle of the Department shall immediately hand same over to the officer in charge, either of the jetty or premises, or in charge of the carriage or vehicle, as the case may be.

51. Obstruction of Officers or Acts of.—No person shall do, attempt to do, assist or aid in doing, cause or procure to be done, any of the following things:—

- (a) obstruct any officer or servant employed on any jetty or premises of the Department, in the due performance of his duty;
- (b) do any act which obstructs or may obstruct the working of any jetty or premises of the Department, or endanger the lives of any person or persons travelling thereon.

52. Obstruction of or Damage to Jetties and Premises.—No person, without having lawful authority or written permission from the officer in charge of any jetty, shall cause or procure to be done any of the following acts:—

- (a) encroach upon any jetty or premises of the Department by making any building, fence, ditch, or other obstacle thereon;
- (b) damage, dig up, destroy, remove, or alter in any way the material or soil thereof;
- (c) fill up, divert, alter, or obstruct any drain or watercourse directly carrying water off, or made to protect the same, or do any act whereby any drain or watercourse is stopped or the flow of water therein is obstructed;
- (d) interfere with or divert or dig any such drain or watercourse;
- (e) unlawfully throw or put any stone, gravel, or timber, or any substance, whether solid or liquid, or any other matter or thing, on any jetty or premises of the Department;
- (f) cut down, break, remove, or destroy any fence, building, or bridge, or any telegraph line or post in or upon any jetty or premises of the Department.

53. Rubbish, etc., not to be Thrown.—No person shall throw or cause to be thrown at or from any car, carriage, or other vehicle of the Department, or on to any jetty, or premises vested in, used by, or under the control of the Department, any glass, stone, or other missile, or any filth, dirt, rubbish, or other matter of a similar nature.

54. Sale of Articles Prohibited.—No person, unless authorised by the Department, shall sell or attempt to sell any article on any jetty or premises, or in any car, carriage, or other vehicle of the Department.

55. Smoking and Loitering.—No person shall smoke in, under, or near to any shed, or loiter therein or thereunder, or upon any jetty, or lounge or sleep among the cargo placed in or under any shed or upon any jetty, or play at any game, or, without the written consent of the Department, address any assemblage of persons in any shed or on any jetty or any approach thereto.

56. Trespassing.—No person shall trespass on any premises, or be in any vehicle or shed of the Department, unless he has business therein, and no person shall remain on such premises or in such vehicle or shed after having been directed by the officer in charge to withdraw.

57. [Revoked by G.G. 24/11/72, p. 4487.]

58. [Revoked by G.G. 24/11/72, p. 4487.]

59. [Revoked by G.G. 24/11/72, p. 4487.]

60. [Revoked by G.G. 24/11/72, p. 4487.]

61. [Revoked by G.G. 24/11/72, p. 4487.]

62. [Revoked by G.G. 24/11/72, p. 4487.]

63. [Revoked by G.G. 24/11/72, p. 4487.]

64. [Revoked by G.G. 24/11/72, p. 4487.]

65. [Revoked by G.G. 24/11/72, p. 4487.]

66. [Revoked by G.G. 24/11/72, p. 4487.]

67. [Revoked by G.G. 24/11/72, p. 4487.]

67A. Standard conditions for construction and installation of pipe-lines for transmission of liquids derived from petroleum, coal and shale on and from jetties to storage tanks:

- (1) regulation applies to pipe lines for the transmission of inflammable liquid, liquids derived from petroleum, coal or shale and liquids having a flash point less than 61° Celsius from the point of discharge from or intake of the vessel to or from the storage point.
- (2) The various directions and requirements contained in these conditions shall be read as addressed to the owner of the pipe lines, valves, hoses or other appliances except where specifically stated otherwise, and he shall be entirely and solely responsible for their full and complete observance.
- (3) Any proposal for the construction or installation of a pipe line on and from any jetty shall be submitted to the Department together with full specifications and details and such construction or installation shall not be commenced and no jetty shall be used for that purpose except by license from the Minister.
- (4) (a) When an existing pipe line is to be relaid or renewed, or any major repairs are to be effected, such pipe line or such section thereof as the Department may determine shall be classified as a new pipe line and shall conform to this regulation.
(b) Major repairs include any repairs or alterations involving welding.
- (5) Where the Department is of the opinion that it is in the interest of public safety so to do it may by notice in writing given to the owner of a pipe line require such owner to relay, renew or repair such pipe line in such manner and within such time as the notice requires.

Reg. 67A.
Added by
G.G. 17/3/60,
p. 779.

Amended by
G.G. 28/9/60,
p. 2987;
G.G. 15/6/73,
p. 2237.

- (6) Pipe lines, valves, flanges and fittings shall comply with the relevant requirements of British Standards, British Institute of Petroleum Safety Codes, American Petroleum Institute Specification for Line Pipe or other specifications approved by the Department.
- (7) Joints in pipe lines shall be welded wherever practicable, and otherwise shall be made with flanged ends or other means approved by the Department.
- (8) Where pipe lines are supported by a wharf, they shall be secured in an adequate manner, proper provision being made for expansion movement and anchorages.
- (9) Where valves and outlets in pipe lines are placed below the deck of a wharf, access openings, with covers, shall be provided to them.
- (10) Pipe lines on wharves shall be fitted with a stop valve at the outer or seaward end, and an approved non-return valve shall be placed immediately behind the connections between the flexible hose and the shore pipe line. Where required by the Department an approved non-return valve shall be placed in the pipe line at the shore end of the wharf or at the shore end of a submarine pipe line. Subject to the approval of the Department the requirement of a non-return valve at the seaward end of the pipe line may be dispensed with, if the distance from the outer or seaward end of the line to the non-return valve on shore does not exceed fifteen metres.

In special circumstances, and as approved in writing by the Department, a non-return valve may be by-passed by the installation of a rising spindle gate valve connected to an approved branch line for "Go-Devil" or product separation device operation and back loading. This valve must be kept closed and locked except when the pipe line is to be cleared of contents or back loading is taking place or the operations are such as to require insertion of a product separation device.

- (11) Rising spindle gate valves of a type approved by the Department shall be used at pipe line control points.
- (12) Pipe lines used for the transmission of inflammable liquid with a flash point less than 61° Celsius shall be suitably bended and earthed in a manner approved by the Department. A suitably designed cathodic protection system may be accepted for the purpose of this paragraph.
- (13) The seaward end of pipe lines and hoses left connected thereto on wharves shall be made liquid-tight by fitting with either blank flanges properly secured and fastened by at least four bolts, or screwed caps.
- (14) Pipe lines and the control valves shall be marked as required by the Department.
- (15) Pipe lines not situated on wharves shall be laid above ground wherever possible and shall be properly supported at a height of not less than 160 millimetres above ground, but shall not rest directly on wood.
- (16) Pipe lines shall receive adequate protection against corrosion and other injury.
- (17) If so required by the Department any pipe line laid under water shall be afforded cathodic protection in an approved manner.
- (18) Pipe lines laid under railway tracks, roads or streets, or where they may be subjected to heavy loading, shall be installed in accordance with the plans and specifications of the "Recommended practice on form of agreement and specifications for pipe lines crossings under railroad tracks" issued by the American Petroleum Institute (A.P.I. Code No. 26) or other specification or proposal in regard to sleeving or culverting approved by the Department.

- (19) Pipe lines laid in ground, the surface of which is subject to loading of vehicular traffic, shall have at least 610 millimetres of approved cover over the top of the pipe, excluding flanges; proper access pits, with covers, shall be provided for valves, and flanged joints shall be readily accessible.
- (20) When first installed, pipe lines shall be tested to a pressure of two megapascals with water in sections over the full length of the pipe line, each section not exceeding distance between consecutive flanged joints, and full pressure shall be maintained for the period of each test with a minimum period of 30 minutes.
- (21) Provision shall be made to relieve excessive pressure due to temperature variations in pipe lines left full of liquid.

67B. Maintenance and operation of pipe lines for transmission of liquids derived from petroleum, coal and shale on or from jetties to storage tanks:

- (1) Underground pipe lines between the wharf and the storage tanks shall be examined by the owner at intervals not exceeding three years and a certificate forwarded to the Department that the pipe lines are in good order and condition and such certificate shall state the basis on which it is issued, *e.g.*, visual examination, pressure tests or metal thickness tests.
- (2) Valves and other appliances used during pumping operations shall be inspected to ensure certainty of operation on each occasion before pumping commences.
- (3) (a) Flexible hoses used in connection with the pumping of liquids derived from inflammable liquid, liquids derived from petroleum, coal or shale and liquids having a flash point less than 61° Celsius to or from a vessel shall be of approved quality with a safe working pressure of at least 700 kilopascals.
- (b) Such flexible hoses shall be fitted with Turk's heads of hemp or sisal rope, or other approved means of protection at intervals of one metre.
- (c) The number of the hose, the safe working pressure and the ownership thereof, shall be indicated on each such flexible hose, by means of an engraved metallic plate incorporated in and forming part of such hose, or in such other manner as may be approved by the Department.
- (d) Such flexible hoses shall be so fitted as to ensure complete electrical connection between the pipe line and the vessel which is being discharged or loaded and the method adopted shall require the use of 44/0.315 mm copper wire mechanically connected to the metallic fittings at each end of the hose, or other method approved by the Department.
- (4) Flexible hoses used in connection with the pumping of liquids derived from inflammable liquid, liquids derived from petroleum, coal or shale and liquids having a flash point less than 61° Celsius to or from a vessel shall be tested under working conditions at intervals of not more than six months to at least 25 per cent in excess of the actual maximum working pressure under which it is operated and the results of such test shall be recorded in a register to be kept by the owner and such record shall be made available for examination by the Department as required. A report on tests of hoses used by an owner shall be provided to the Department in January and July of each year. Such flexible hoses shall be properly and adequately supported to prevent chafing and kinking during pumping operations.
- (5) Pipe lines used in connection with the pumping to or from a vessel of liquids derived from inflammable liquid, liquids derived from petroleum, coal or shale and liquids having a flash point less than 61° Celsius and unrefined crude petroleum, shall be provided with drip trays or drums under the seaward end of the pipe line of a type approved by the Department.

Reg. 67B.
Added by
G.G. 17/3/60,
p. 780.

Amended by
G.G.
20/12/62;
G.G. 16/9/63,
p. 2829;
G.G. 15/6/73,
p. 2237.

- (6) Pipe lines and fittings shall be inspected each time before use in loading or discharge and tested to a pressure 25 per cent in excess of normal operating pressure at three-monthly intervals.
- (7) Electrical equipment on oil wharves or located within 50 feet of shore terminal valves in pipe lines shall comply with the appropriate section of the Wiring Rules of the Standards Association of Australia and the requirements of the proper local electrical authority, and shall be inspected at intervals of not more than six months to ensure their continued compliance with such rules or requirements.
- (8) Pipe lines for transmission of inflammable liquid with a flash point less than 61° Celsius shall be tested at intervals of not more than 12 months to ensure that they are suitably bonded and earthed as required by the Department.
- (9) At the commencement of pumping of inflammable liquids having a flash point less than 61° Celsius, and after each change of grade of liquid at which water clearance is employed, the velocity in the pipe lines shall be restricted to a maximum of one metre per second for a period of 30 minutes, or sufficient time to clear the pipe line twice, whichever is the longer, but where a change of grade of inflammable liquid is made by face to face pumping or short water plug separation the velocity need not be so restricted.

This slow pumping rate shall also be observed when filling empty tanks until the fill pipe is covered. When pipe lines vary in bore, the limiting rate shall be applied to that part having the smallest bore.
- (10) During pumping operations, pipe lines shall be regularly patrolled throughout their full length so that any leakage may be detected.
- (11) During the whole period of pumping operations, the terminal valves on wharf or jetty, and the delivery or control valve on the vessel, shall be closely watched by competent persons who shall close the valves in the event of any untoward occurrence.
- (12) Pipe lines, valves, hoses and other appliances used for transferring inflammable liquids with a flash point less than 61° Celsius shall be maintained free from leakage and gas-tight and, unless otherwise authorised by the Department, on the completion of loading or unloading shall be thoroughly freed of inflammable liquid and the hoses disconnected from the shore pipe lines. Pipe lines, valves, hoses and other appliances used for transferring oil with a flash point not less than 61° Celsius shall be kept in good condition and free from leakage and all due precautions shall be taken to prevent any oil escaping into tidal water.
- (13) Necessary precautions shall be taken to ensure that boats, barges or other small craft shall not moor under or remain near the wharf where pumping operations are being carried out.
- (14) No naked light, matches or other source of ignition shall be brought within a distance of fifteen metres of shore terminal valves when pumping operations are being carried out, and any torch used shall be of flame-proof construction, and any artificial light used shall also be of flame-proof construction unless mounted at least 7.5 metres above the level of the wharf, when it shall be of a type approved by the Department.
- (15) A reliable watchman or watchmen shall be stationed in the vicinity of the vessel during pumping operations and such watchman or watchmen shall be persons approved by the Department and in such number as it may require.

- (16) A responsible representative of the Master of a vessel and a representative of the installation to which or from which the inflammable liquid is being transmitted by pipe lines, shall be on duty at all times at the point of discharge from or intake of the vessel during preparation for any pumping operation.
- (17) The owner of the vessel and of the installation to or from which pumping operations will be made shall ensure, in his respective sphere, that sufficient fire-fighting equipment as approved by the Department is available for immediate use should such be required.
- (18) Any untoward occurrence shall be reported immediately to the Department or its representative.
- (19) The approval of the Department shall be obtained on each occasion in respect of each particular vessel before pumping operations commence and any additional conditions stipulated by it shall be observed.
- (20) Operations shall be discontinued should the Department consider such course necessary in the interests of safety.
- (21) When pumping operations cease temporarily valves on the vessel and on the shore pipe line shall be closed.
- (22) On completion of pumping operations pipe lines outside storage installations and used for the transmission of inflammable liquids with a flash point less than 61° Celsius shall be thoroughly cleared of the inflammable liquid by flushing with water and shall be kept full of water.
- (23) Notwithstanding the requirements of subregulation (22) of this regulation, the Department may grant exemption from this provision in the case of underwater pipe lines used for the transmission of crude oil having a flash point of less than 61° Celsius or any pipe line provided it is patrolled to the satisfaction of the Department.
- (23A) Petroleum Substance that is heated above the ambient temperature shall not be pumped through a pipe line or flexible hose unless the pipe line or flexible hose is designed and constructed for use at the elevated temperature of the substance to be pumped.
- (24) Except with the approval of the Department, on completion of pumping operations pipe lines shall be cleared of oil with a flash point of not less than 150 deg. Fahrenheit from the point of loading or discharge to the non-return valve at the shore end of the wharf.
- (25) Subject to the written approval of the Department, liquids derived from petroleum, coal and shale may be pumped to or from a vessel after sunset, provided that the following conditions and such other conditions as may be stipulated by the Department are complied with:—
 - (a) Pipe lines, hoses, valves and other appliances shall be coupled up and pumping commenced at least one hour before sunset, and such pipe lines and hoses shall not be uncoupled or otherwise interfered with except in daylight unless with special permission of the Department and in the presence of its representative.
 - (b) Adequate lighting of an approved type shall be provided to the satisfaction of the Department
- (26) Arrangements shall be made by the Master of the vessel to ensure that there shall be sufficient staff of officers and men available at all times to ensure the efficient carrying on of the work or to remove the vessel if so required.

67C. [Revoked by G.G. 14/4/66, p. 918.]

Former Reg. 67D [Added by G.G. 17/3/60, p. 783. Revoked by G.G. 28/9/60, p. 2988.]

Reg. 67E.
Added by
G.G. 17/3/60,
p. 783.
Renumbered
67D by
G.G. 28/9/60,
p. 2988.

67D. Where the Minister requires a person to whom a license has been granted or assigned under these regulations to remove or amend a pipe line on the expiration of the license that person if he neglects or fails to comply in all respects with the direction, is guilty of an offence against these regulations.

PART II.

To apply to All Jetties Within the Port of Perth.
Management and Use of Jetties.

68. Control of Jetties—All public jetties in the Port of Perth shall henceforth be under the control of the Department.

69. Use of Jetties:—

- (a) No person shall land at, use, or enter upon any public jetty except in accordance with these regulations.
- (b) No person shall in any way whatsoever make use of any public jetty under construction, or before the same shall have been declared open to the public by notice published in the *Government Gazette*.

70. Jetties may be Closed:—

- (a) The Department may at any time temporarily or permanently close any public jetty, because of inclemency of weather, or for any other reason whatsoever, by posting a notice on same to that effect, or by otherwise publicly declaring such public jetty to be closed.
- (b) The Minister for Works may at any time temporarily or permanently close any public jetty for repairs, alterations, additions, or any other reason whatsoever, by posting a notice on same to that effect, or otherwise publicly declaring such public jetty to be closed.

Mooring and Berthing of Vessels.

71. Permits required to take Vessels alongside Jetties.—No person shall moor, fasten, or take any vessel alongside any public jetty or buoy in the Port, or cause or permit any vessel to be so moored, fastened, or taken, unless the owner of such vessel shall have first obtained from the Department permission in writing to make use of such public jetty or buoy.

Reg. 72.
Amended by
G.G.
29/10/48,
p. 2579;
G.G. 15/6/73,
p. 2238.

72. Charges for Permits:—

- (a) A charge, in accordance with the following scale, shall be paid by the owner of every vessel for a permit to moor, fasten, or take such vessel alongside any public jetty or buoy in the Port. Such charge shall be paid before a permit is issued:—
 - (i) Vessels licensed to carry passengers.—12 cents per head per annum for each passenger the vessel is licensed to carry: Provided the charge shall not exceed \$48 per annum for any one vessel.
 - (ii) Other vessels.—five metres in length and under—60 cents per annum; over five metres and under 8.5 metres—\$1.20 per annum; 8.5 metres and over—\$2.40 per annum.
- (b) The above measurements shall be taken from the forepart of the stem under the bowsprit to the aft side of the head of the stern post.

73. Permanent Berths.—The owner of any vessel licensed to carry passengers may be permitted to use a public jetty as a permanent berth for such vessel, where accommodation is available, on payment of a charge of \$1 per week per berth in addition to the charge payable under the preceding regulation: Provided that it shall at all times be in the discretion of the Department to decide if any and what accommodation is to be allowed.

Reg. 73.
Substituted
by
G.G. 31/1/47,
p. 182.
Amended by
G.G.
29/10/48,
p. 2579.

74. Manner of mooring Vessels:—

- (a) No vessel shall be moored or made fast to any public jetty or any part thereof, except to such mooring piles, ringbolts, or other fastenings as are or may be provided, and no vessel shall remain alongside any public jetty unless so fastened.
- (b) No vessel or any obstruction shall be fastened to or near any public steps or landing place for passengers in such a manner as to impede free access to such public steps or landing places.

75. Vessels not to remain at Jetties longer than necessary.—No vessel shall be fastened to or remain alongside any public jetty longer than is necessary, and shall immediately be removed therefrom, on the master or person in charge of such vessel receiving orders to that effect from an officer of the Department.

76. Moorings, Rafts and Boathouses.—No raft or boathouse shall be moored within ninety-one metres of any public jetty overnight; nor shall any raft or boathouse be moored in the fairway by day or by night, and any raft or boathouse moored overnight shall burn two bright lights from sunset to sunrise, one at each end, and fixed at least eight feet above water level.

Reg. 76.
Amended by
G.G. 15/6/73,
p. 2238.

77. Vessels to be in charge of a competent Person.—No vessel (except small rowing boats) shall come alongside or remain fastened to any public jetty unless in charge of a competent person.

78. Approaching Jetties after Sunset.—No vessel (except small rowing boats) shall approach any jetty after sunset without burning the lights usually used by steamers or sailing vessels when under way.

Loading or Discharging Cargo.

79. Wharfage to be Paid.—The owners of all vessels shall pay as wharfage dues the sum of ten cents per tonne except where special licenses have been issued, on all cargo landed and shipped on any of the jetties of the Port; provided that any cargo landed or shipped from one part of the Port to any other shall pay wharfage dues one way only.

Reg. 79.
Amended by
G.G.
29/10/48,
p. 2579;
G.G. 15/6/73,
p. 2238.

80. Vessels Loading or Discharging.—No vessel loading or discharging cargo shall come alongside any public jetty until the cargo is ready to be loaded or vehicles are ready to receive delivery, in the case of a vessel discharging, and no vessel shall occupy a berth at any public jetty while waiting to load or discharge cargo, but only when actually occupied in loading or discharging, and between sunrise and sunset and on week days, except by written permission of the Department.

81. Cargo to be Removed:—

- (a) When any goods, merchandise, or plant of any description are placed on any public jetty for shipment or ex ship, the removal of the same shall proceed concurrently with the delivery on such public jetty.
- (b) All cargo or other material must be removed from any public jetty within 24 hours of the time it is deposited there, or at any time, upon the receipt by the consignor or consignee of such cargo or material, of notice from an officer of the Department.
- (c) In the event of the consignor or consignee refusing or neglecting to remove any cargo or other material from any public jetty when required so to do by an officer of the Department, such cargo

- Reg. 98. 98. Vessels may forfeit their Turn.—Vessels registered for and not arriving at the slip at the appointed time will be liable to the forfeiture of their turn.
Substituted by G.G. 11/1/46, p. 13.
- Reg. 99. 99. Department will not undertake Repairs, etc.—The Department will not undertake the repairs of vessels; all parties availing themselves of the use of the slip will be required to make their own arrangements for these and provide all necessary material.
Substituted by G.G. 11/1/46, p. 13.
- Reg. 100. 100. Responsibility of the Department.—The Department will not be responsible for and shall incur no liability in respect of any damage to any vessel while being hauled up remaining on, or being lowered from the slip, or in any way in connection with the use of the slip.
Substituted by G.G. 11/1/46, p. 13.
- Reg. 101. 101. (1) The owner or master of a vessel using the slipway shall—
Substituted by G.G. 19/10/73, p. 3819.
(a) keep it in a clean and tidy condition to the satisfaction of the officer having the management and control of the slipway; and
(b) remove all barnacles and weed from the slipway area on the day that the vessel is hauled from the water.
(2) Where the owner or master fails to comply with subregulation (1) of this regulation the Department may arrange for the cleaning of the slipway area and may recover the cost thereof from the owner or master of the vessel.
- Reg. 101A. 101A. Slipping of more than one vessel at a time.—The officer in charge may by special permission allow more than one vessel to be taken on a slipway at the one time.
Added by G.G. 11/1/46, p. 13.
Substituted by G.G. 24/11/72, p. 4488.
- Reg. 101B. 101B. Procedure in event of Disputes.—If any dispute shall arise between the owner or master and the Department, such dispute shall be referred to and be determined by the Minister whose decision shall be final and binding upon the Department and the owner or master of the vessel
Added by G.G. 11/1/46, p. 13.
102. [*Revoked by G.G. 24/11/72, p. 4488.*]
103. [*Revoked by G.G. 24/11/72, p. 4488.*]
104. [*Revoked by G.G. 24/11/72, p. 4488.*]
105. [*Revoked by G.G. 24/11/72, p. 4488.*]
- C.—Regulations and Charges for the Use of Mooring Springs.
- Reg. 105A. 105A. The master of a vessel when berthing such vessel at any public jetty under the control of the Department at which mooring springs are provided by the Department, for the safe berthing of vessels, shall use the mooring springs so provided.
Added by G.G. 3/1/47, p. 7.
Amended by G.G. 30/5/52, p. 1335.
Provided that the use of springs for vessels not exceeding 500 tons gross register shall be at the discretion of the Officer-in-Charge.
- Reg. 105B. 105B. The master or owner of any such vessel shall pay to the Department the charges for the use of such springs prescribed in Appendix I to these regulations.
Added by G.G. 3/1/47, p. 7.
- Reg. 105C. 105C. The Officer in Charge shall decide the number of springs which shall be used by the master of a vessel for the berthing thereof and he may at any time require such additional mooring springs to be used as appears to him to be necessary.
Added by G.G. 3/1/47, p. 7.
- Reg. 105D. 105D. The springs available for use on the jetty shall be picked up by the master of the vessel from where they are located on the jetty, and a receipt for same shall be given by or on behalf of the master to the Officer in Charge.
Added by G.G. 3/1/47, p. 7.
- Reg. 105E. 105E. The master of a vessel who uses such mooring springs shall cause them to be laid in position and replaced after use, and in the event of the master not replacing them after use, an officer of the Department may replace them at the expense of the master or owner of such vessel.
Added by G.G. 3/1/47, p. 7.

105F. A person shall not, unless authorised by the Officer in Charge, approach within four metres of any bollard, or any other part of such public jetty to which any mooring spring or rope is fastened.

Reg. 105F.
Added by
G.G.3/1/47,
p. 7.

Amended by
G.G. 15/6/73,
p. 2238.

105G. The master, owner, or agent of any vessel using such mooring springs shall be responsible—

Reg. 105G.

Added by
G.G. 3/1/47,
p. 7.

- (a) for the maintenance of such springs in good order and condition whilst they are in his possession;
- (b) shall deliver such springs, after use, to the Officer in Charge in good order and condition;
- (c) shall pay the cost of any damage caused to such springs as a result of such use.

105H. The master of a vessel when transferring the vessel from one berth to another may remove any mooring springs used for mooring such vessel to the new berth, but he shall in any event replace such springs after use in their original position or as the Officer in Charge may direct.

Reg. 105H.

Added by
G.G. 3/1/47,
p. 7.

105HA. No liability shall be incurred by or attach to the Government—

Reg. 105HA.

Added by
G.G. 12/7/57,
p. 2271.

- (a) for any loss, damage or accident, from any cause whatever, arising on consequence of mooring springs being permitted to be on any jetty;
- (b) for any damage done to any vessel or for any damage or loss caused by any vessel to another vessel, thing or person by reason of any spring or springs provided by the Department being found to be defective.

105HB. (1) The use of privately owned springs and winches is permitted on any jetty on payment of the charge—

Reg. 105HB.

Added by
G.G. 12/7/57,
p. 2271.

- (a) of forty cents per day or part of a day during any period when each winch is working; and
- (b) 22 cents per day when not in use.

(2) Every privately owned spring and winch left on the jetty remains thereon at the owner's risk.

D. Package Refrigerator Units on Wyndham Jetty.

105HC. (1) The storage, without charge, in package refrigeration units on the Wyndham Jetty is limited to cargoes, other than beer, for local consumption at Wyndham, Kununurra and at Kimberley Research Station and to a period of 48 hours after delivery from the shed, and upon the expiry of that time, the charge for storage is two cents per kilogram for each week or part of a week.

Reg. 105HC.

Added by
G.G. 23/6/64,
p. 2500

Amended by
G.G. 15/6/73,
p. 2238.

(2) Each consignee of goods shall, when taking delivery, remove the whole of the consignment at the one time.

(3) The Department may, by notice in writing to the consignee or his agent, direct that any consignment be removed within a time specified in the notice and may, upon the expiry of that time, whether or not a charge for storage has been paid, remove such consignment.

E.—Use of Weighbridge at Derby and Wyndham.

Heading.

Substituted
by G.G.
24/11/72,
p. 4488.

105I. (1) Every person making use of the 40-tonne weighbridge at Derby, or the 50-tonne weighbridge at Wyndham shall pay a fee as follows:—

Reg. 105I.

Added by
G.G. 11/8/64,
p. 2880.

Weight	\$
Up to but not exceeding 5 tonnes	0.15
Over 5 tonnes but not exceeding 10 tonnes	0.20
Over 10 tonnes but not exceeding 20 tonnes	0.40
Over 20 tonnes	0.50

Amended by
G.G. 17/3/66,
p. 731; G.G.
30/12/68,

p. 3949; G.G.
24/11/72,
p. 4488; G.G.
15/6/73,
p. 2238.

(2) A person making use of the weighbridge outside of normal working hours shall pay the wages of the operator, in addition to the fees prescribed by subregulation (1) of this regulation.

MOORING SPRINGS.—Hire of—\$5.00 per spring per day or part thereof exceeding 12 hours. For periods of less than 12 hours the charge shall be \$2.50 per spring.

FRESH WATER.—Supplied to ships 17 cents per kilolitre.

LIGHTING JETTY.—Carnarvon and Point Samson \$4.00 per night or part thereof. Derby \$2.00 per hour or part thereof.

CYLINDRICAL CARGO.—Manifested on square measurement shall for the computation of wharfage dues and handling and haulage charges be reduced by one-fifth.

M.O.P. SHELL.—Shall be treated as cargo for transshipment and pay wharfage one way only.

STORAGE.—On wool—3 cents per bale per week.

HIRE OF MOBILE CRANE OR FORK LIFTS—

\$5.00 per hour inside Departmental premises.

\$8.00 per hour outside Departmental premises.

Minimum of $\frac{1}{4}$ hour.

BROOME JETTY

Schedule of Wharfage Dues, Handling and Haulage Charges

Goods	Wharfage	Handling	Haulage
	\$	\$	\$
Inflammable liquids, acetylene, acids, ammonia, batteries (wet) and other dangerous cargo	0.98	4.04	0.49
per cubic metre	0.88	3.62	0.44
Oil, etc.—by pipe line—bulk	0.88	....	....
Cement—			
On pallets	0.98	4.04	0.49
In bags	0.98	6.05	0.49
Empty returns	0.39	2.85	0.39
Empty returns	0.35	2.56	0.35
Explosives	0.49	4.23	0.49
Explosives	0.44	3.80	0.44
Livestock—			
In horse boxes	0.20	4.04	0.49
Bullocks, Cows, etc.	0.20	....	....
Pigs	0.05	....	....
Sheep, Goats, Dogs	0.05	....	....
Others	0.20	....	....
Fertilizer	0.49	4.04	0.49
Fertilizer	0.44	3.62	0.44
Ore—			
Bulk	0.39	at cost	....
In containers	0.39	4.04	0.49
Meat—chilled or frozen	0.49	4.04	0.49
Meat—chilled or frozen	0.44	3.62	0.44
Motor cars and utilities on own wheels	0.49	4.95	0.49
per cubic metre	0.44	4.95	0.44
Commercial vehicles on own wheels	0.59	4.95	0.49
Commercial vehicles on own wheels	0.53	4.95	0.44
per cubic metre		4.95	0.44
Wool, skins			
per bundle or bale	0.10	0.60	0.10
Timber—Direct from overseas—in bundles	0.49	4.04	0.49

BROOME JETTY—*continued*

Goods	Wharfage	Handling	Haulage
Timber—Direct from overseas—in bundles per cubic metre	0.44	3.62	0.44
Timber—Direct from overseas—loose per tonne	0.49	6.05	0.49
Timber—Direct from overseas—loose per cubic metre	0.44	5.43	0.44
Timber ex W.A. ports—in bundles per tonne	0.20	4.04	0.49
Timber ex W.A. ports—in bundles per cubic metre	0.18	3.62	0.44
Timber ex W.A. ports—loose per tonne	0.20	6.05	0.49
Timber ex W.A. ports—loose per cubic metre	0.18	5.43	0.44
All other goods per tonne	0.98	4.04	0.49
All other goods per cubic metre	0.88	3.62	0.44
Minimum charge per consignment	0.05	0.30	0.05
Products of the soil of the State— per tonne	0.20	as	as
except otherwise stated (exported) per cubic metre	0.18	applicable as applicable	applicable as applicable

HAULAGE.—The above haulage rates are between jetty and goods shed and vice versa.

LIVESTOCK HANDLING.—Department does not handle livestock, but shall, if required to do so, and charge according to service rendered.

DANGEROUS CARGO.—Shall include matches, carbide, compressed gases, corrosives, poisons, cartridges and films.

INFLAMMABLE LIQUIDS.—Shall include 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 61° Celsius and any other liquid which the Governor by proclamation in the *Government Gazette* declares to be an inflammable liquid.

SHIP'S STORES.—Stores for consumption of vessel by which shipped are free of wharfage, but handling and haulage charges shall be payable at ordinary cargo rates according to services rendered.

BERTHAGE DUES.—For vessels over 300 tons gross register shall be 5 cents per tonne or per cubic metre or per kilolitre, at the option of the officer in charge, on all cargo landed and/or shipped with a minimum \$10 per day of 24 hours or part thereof. Vessel under 300 tons gross register shall be 5 cents per tonne or per cubic metre or per kilolitre, at the option of the officer in charge, on all cargo landed and/or shipped with a minimum of \$6.00 per day of 24 hours or part thereof. Pearlaring store ships, mission vessels and luggers shall pay 5 cents per tonne on all cargo landed and/or shipped with a minimum of \$1.00 per trip.

MOORING SPRINGS.—Hire of—\$5.00 per spring per day or part thereof exceeding 12 hours. For periods of less than 12 hours the charge shall be \$2.50 per spring.

FRESH WATER.—Supplied to ships 17 cents per kilolitre.

LIGHTING JETTY.—\$2.00 per hour or part thereof.

CYLINDRICAL CARGO.—Manifested on square measurement shall for computation of wharfage dues and handling and haulage charges be reduced by one-fifth.

M.O.P. SHELL—Shall be treated as cargo for transshipment and pay wharfage one way only.

STORAGE.—On wool—3 cents per bale per week. On M.O.P. shell—5 cents per tonne per week. Department not to be responsible for safe custody or loss of or damage to such shell.

HIRE OF MOBILE CRANE OR FORK LIFTS—

\$5.00 per hour inside Departmental premises.

\$8.00 per hour outside Departmental premises.

Minimum of $\frac{1}{4}$ hour.

WYNDHAM JETTY

Schedule of Wharfage Dues, Handling and Haulage Charges

Goods	Wharfage	Handling	Haulage
	\$	\$	\$
Inflammable liquids, acetylene, acids, ammonia, batteries (wet) and other dangerous cargo	0.98	4.72	0.49
per cubic metre	0.88	4.24	0.44
Oil, etc.—by pipe line—bulk	0.88	....	....
Cement—			
On pallets	0.98	4.72	0.49
In bags	0.98	6.15	0.49
Empty returns	0.39	2.85	0.39
Empty returns	0.35	2.56	0.35
Explosives	0.49	4.72	0.49
Explosives	0.44	4.24	0.44
Livestock—			
In horse boxes	0.20	4.72	0.49
Bullocks, Cows, etc.	0.20	....	....
Pigs	0.05	....	....
Sheep, Goats, Dogs	0.05	....	....
Others	0.20	....	....
Fertilizer	0.49	4.72	0.39
Fertilizer	0.44	4.24	0.35
Ore—			
Bulk	0.39	at cost	....
In containers	0.39	4.72	0.39
Meat—chilled or frozen	0.49	4.72	0.49
Meat—chilled or frozen	0.44	4.24	0.44
Motor cars and utilities on own wheels	0.49	4.95	0.49
Motor cars and utilities on own wheels	0.44	4.95	0.44
Commercial vehicles on own wheels	0.59	4.95	0.49
Commercial vehicles on own wheels	0.53	4.95	0.44
Wool, skins	0.10	0.90	0.10
Timber—Direct from overseas—in bundles	0.49	4.72	0.49
Timber—Direct from overseas—in bundles	0.44	4.24	0.44
Timber—Direct from overseas—loose	0.49	6.15	0.49
Timber—Direct from overseas—loose	0.44	5.52	0.44
Timber ex W.A. ports—in bundles	0.20	4.72	0.49
Timber ex W.A. ports—in bundles	0.18	4.24	0.44
Timber ex W.A. ports—loose	0.20	6.15	0.49
Timber ex W.A. ports—loose	0.18	5.52	0.44
All other goods	0.98	4.72	0.49
All other goods	0.88	4.24	0.44
Minimum charge	0.05	0.40	0.05
Products of the soil of the State—except otherwise stated (exported)	0.20	as	as
per cubic metre	0.18	applicable as applicable	applicable as applicable

HAULAGE.—The above haulage rates are between the jetty and goods shed and vice versa.

LIVESTOCK HANDLING.—Department does not handle livestock, but shall, if requested to do so, and charge according to services rendered.

DANGEROUS CARGO.—Shall include matches, carbide, compressed gases, corrosives, poisons, cartridges and films.

INFLAMMABLE LIQUIDS.—Shall include 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 61° Celsius and any other liquid which the Governor by proclamation in the *Gazette* declares to be an inflammable liquid.

SHIP'S STORES.—Stores for consumption of vessel by which shipped are free of wharfage dues but handling and haulage charges shall be payable at ordinary cargo rates according to services rendered.

BERTHAGE DUES.—For vessel over 300 tons gross register shall be 5 cents per tonne or per cubic metre or per kilolitre, at the option of the officer in charge, on all cargo landed and/or shipped with a minimum \$10 per day of 24 hours or part thereof. Vessel under 300 tons gross register shall be 5 cents per tonne or per cubic metre or per kilolitre, at the option of the officer in charge, on all cargo landed and/or shipped with a minimum of \$6.00 per day of 24 hours or part thereof. Mission vessels and luggers shall pay 5 cents per tonne on all cargo landed and/or shipped with a minimum of \$1.00 per trip.

FRESH WATER.—Supplied to ships 17 cents per kilolitre.

LIGHTING JETTY AND/OR SHED.—For full lighting of jetty shed and yard \$6.00 per hour. For use of jetty lighting only, \$2.00 per hour. For reduced jetty lighting \$0.75 per hour.

CYLINDRICAL CARGO.—Manifested on square measurement shall for the computation of wharfage dues, and handling and haulage rates be reduced by one-fifth.

CRANE AND FORK LIFT HIRE.—\$5.00 per hour inside Departmental premises. \$8.00 per hour outside Departmental premises. Minimum $\frac{1}{4}$ hour.

STORAGE ON COTTON.—2.5 cents per bale per week.

SHARK BAY SLIPWAY

Schedule of Slipping and Haulage Charges

Slippage Fees

1. Vessels 12 metres and over : 50 cents per metre per day for first three days and 33 cents per metre per day for each subsequent day.
2. Vessels under 12 metres : 40 cents per metre per day for first three days and 33 cents per metre per day for each subsequent day.

	Haulage	\$
1. Vessels not exceeding 5 tons gross	2.00
Vessels over 5 tons and not exceeding 10 tons	2.50
2. A day shall comprise 24 hours and half charge will be made for 12 hours or part thereof. Sundays and public holidays will not be charged for, provided no work is done on those days.		

ESPERANCE SLIPWAY

Schedule of Slipping and Haulage Charges

Slippage Fees

1. Vessels 12 metres and over—65 cents per metre per day or part thereof.
2. Vessels under 12 metres—50 cents per metre per day or part thereof.

	Haulage	\$
1. Vessels not exceeding 5 tons gross	5.00
2. Vessels over 5 tons and not exceeding 10 tons	6.00
3. Vessels over 10 tons and not exceeding 20 tons	8.00

Water and Electric Power Charges

1. Use of water—50 cents per day or part thereof.
2. Use of Electric Power—25 cents per day or part thereof.

Appendix II.

Form 1. [*Deleted by G.G. 24/11/72, p. 4491.*]

Form 2. [*Deleted by G.G. 24/11/72, p. 4491.*]

Form 3.
Added by
G.G. 11/1/46,
p. 13.
Amended by
G.G. 2/5/52,
p. 1106;
G.G. 17/3/60,
p. 790;
G.G. 15/6/73,
p. 2242.

Form 3.
Western Australia.
Harbour and Light Department.
Jetties Act, 1926.

APPLICATION FOR USE OF SLIPWAY.

The Harbour Master or Officer in Charge,
.....Slipway.

Application is hereby made for the use of slipway for the purpose
of slipping the particulars of which are:—

Length over allmetres.
Beam (extreme)metres.
Draught—Forwardmetres.
 Aftmetres.
Deadweighttonnes.
Gross tonnage tons.

Particulars of keel or any peculiarity in construction to be given
here.....

Date slip required19..... Time.....a.m./p.m.

Date launching required19..... Time.....a.m./p.m.

State work to be done when vessel is on slip.....
.....
.....

I hereby agree that in the event of the use of the slip being
granted, I shall accept and be bound by the conditions and scale
of charges set forth on the back hereof.

.....
Master or Owner.

Date.....

Form 4. [*Deleted by G.G. 14/4/66, p. 918.*]