

 **G** WESTERN  
AUSTRALIAN  
GOVERNMENT  
**Gazette**



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PERTH, THURSDAY, 13 DECEMBER 1990 No. 155 SPECIAL

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PUBLISHED BY AUTHORITY G. L. DUFFIELD, GOVERNMENT PRINTER AT 3.30 PM

JETTIES ACT 1926

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**JETTIES ACT  
REGULATIONS 1940**



Reprinted under the *Reprints Act 1984* as at 29 November 1990.

WESTERN AUSTRALIA

JETTIES ACT 1926

JETTIES ACT REGULATIONS 1940

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Reprinted under the *Reprints Act 1984* as at 29 November 1990.

WESTERN AUSTRALIA

JETTIES ACT 1926

**JETTIES ACT REGULATIONS 1940**

**Citation**

1. These regulations may be cited as the *Jetties Act Regulations 1940*<sup>1 2</sup>.

**Division into Parts**

2. [*Regulation 2 omitted under Reprints Act 1984 s. 7 (4) (d).*]

**Interpretation**

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.

[*Regulation 3 amended in Gazette 17 March 1960 p. 777.*]

PART 1—REGULATIONS APPLYING TO JETTIES  
CONTROLLED BY THE DEPARTMENT

[*Heading inserted in Gazette 19 May 1989 p. 1494.*]

*Division 1—Application of this Part*

[*Division 1 inserted in Gazette 19 May 1989 p. 1494.*]

**Application**

3A. This Part applies to all jetties controlled by the Department.

[*Regulation 3A inserted in Gazette 19 May 1989 p. 1494.*]

*Division 2—Arrival and movement of vessels*

[*Heading inserted in Gazette 19 May 1989 p. 1494.*]

**Master to report arrival**

4. 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.

[*Regulation 4 amended in Gazette 19 May 1989 p. 1494.*]

**Vessels to change berths**

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

[*Regulation 5 amended in Gazette 19 May 1989 p. 1494.*]

*Division 3—Berthing dues*

[*Heading inserted in Gazette 19 May 1989 p. 1494.*]

**Berthing dues shall be paid**

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

(b) All vessels lying alongside jetties and transshipping cargo to or from lighters or other vessels shall be charge 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.

[*Regulation 6 amended in Gazette 19 May 1989 p. 1494.*]



### Computation of berthing dues

7. 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, 15 sheep, pigs, goats or suchlike one tonne.

[Regulation 7 inserted in Gazette 15 June 1973 p. 2237; amended in Gazette 19 May 1989 p. 1494.]

### Inwards manifests

8. 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.

[Regulation 8 amended in Gazette 19 May 1989 p. 1494.]

### Outwards manifests

9. 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.

[Regulation 9 amended in Gazette 19 May 1989 p. 1494.]

### *Division 4—Wharfage dues, handling and haulage charges* [Heading inserted in Gazette 19 May 1989 p. 1494.]

### Decimal currency to be substituted

10. [Regulation 10 omitted under Reprints Act 1984 s. 7 (4) (e).]

### Payment of dues and charges

10A. (1) The appropriate wharfage dues, and handling and haulage charges as prescribed in Appendix I 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.

[Regulation 10A inserted in Gazette 12 July 1957 p. 2269; amended in Gazette 19 May 1989 p. 1495.]

### Handling charges subject to variation and special dues

**10B.** (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) and (b) deleted]*

(c) A special wharfage use charge of 13 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) repealed]*

(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.

*[Regulation 10B inserted in Gazette 17 March 1960 p. 777; amended in Gazettes 12 May 1965 p. 1464; 1 September 1965 p. 2591; 24 November 1972 p. 4487; 13 January 1978 p. 149; 30 August 1985 p. 3077; 8 August 1986 p. 2828; 19 May 1989 p. 1495.]*

*[10C. Regulation 10C repealed in Gazette 24 November 1972 p. 4487.]*

### Charges for transshipment cargo

**11.** (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 10 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) repealed]*

*[Regulation 11 amended in Gazettes 12 July 1957 p. 2270; 24 November 1972 p. 4487; 15 June 1973 p. 2237; 19 May 1989 p. 1495.]*

*[11A. Regulation 11A repealed in Gazette 24 November 1972 p. 4487.]*

### Charges on vessels' stores, including fuel oil

**11B.** (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 outwards 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 44 cents per kilolitre, payable by the suppliers of the oil.

*[Regulation 11B inserted as regulation 11A in Gazette 17 March 1960 p. 778; renumbered as regulation 11B in the reprint published in the Gazette 10 December 1974 pp. 5291-5318; amended in Gazettes 24 November 1972 p. 4487; 15 June 1973 p. 2237; 19 May 1989 p. 1495.]*

### **Charges to be paid before delivery of cargo**

12. 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.

*[Regulation 12 amended in Gazette 19 May 1989 p. 1495.]*

### **Extra charges**

13. 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.

*[Regulation 13 amended in Gazettes 15 June 1973 p. 2237; 19 May 1989 p. 1495.]*

### **Handling charges in special cases**

13A. (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-palletized, preslung or unitized 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.

*[Regulation 13A inserted in Gazette 24 November 1972 p. 4487; amended in Gazette 19 May 1989 p. 1495.]*

### *Division 5—Handling of cargo*

*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

### **Cargo not to be placed on jetties or premises without authority**

14. 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.

[Section 14 amended in Gazettes 3 November 1950 p. 2461; 19 May 1989 p. 1495.]

**Discharging of cargo may be stopped**

15. 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 person 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.

[Regulation 15 amended in Gazette 19 May 1989 p. 1495.]

**Goods not to be shifted without authority**

16. 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.

[Regulation 16 amended in Gazette 19 May 1989 p. 1495.]

**Bulk cargo not to be deposited without authority**

17. 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.

[Regulation 17 amended in Gazette 19 May 1989 p. 1495.]

**Outward cargo advice notes**

18. 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.

[Regulation 18 amended in Gazette 19 May 1989 p. 1495.]

**Outward cargo**

19. All outward cargo must be delivered into the shed at least 4 working hours prior to vessel's advertised time of arrival.

[Regulation 19 amended in Gazettes 19 July 1956 p. 1781; 19 May 1989 p. 1495.]

**Dangerous cargo not to be shipped without permission**

20. 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.

[Regulation 20 amended in Gazette 19 May 1989 p. 1495.]

### Dangerous cargo may be refused or examined

21. 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.

[Regulation 21 amended in Gazette 19 May 1989 p. 1495.]

### Marking of heavy packages

22. (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 25 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 25 millimetres in 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 2 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), 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) 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.

[Regulation 22 amended in Gazettes 15 June 1973 p. 2237; 19 May 1989 p. 1495.]

### False statements

23. 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.

[Regulation 23 amended in Gazette 19 May 1989 p. 1495.]

*Division 6—Receipt, delivery and storage of cargo*  
*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

**Removal of cargo**

24. (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) a consignee shall take delivery of and remove his cargo from the goods shed or yard within 3 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 7 days of it being received into the goods shed or yard.

*[Regulation 24 inserted in Gazette 19 October 1973 p. 3818; amended in Gazette 19 May 1989 p. 1495.]*

**Storage charges**

25. (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—29 cents per tonne or part thereof or 29 cents per cubic metre or part thereof per day but where the consignee is a person to whom regulation 24(3) 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—29 cents per tonne or part thereof or 29 cents per cubic metre or part thereof per week for a maximum period of 2 weeks and thereafter the rates in paragraph (a) 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.

*[Regulation 25 inserted in Gazette 19 October 1973 p. 3818; amended in Gazettes 9 November 1973 p. 4192; 5 August 1983 p. 2834; 8 August 1986 p. 2828; 19 May 1989 p. 1495; 30 June 1989 p. 917; 1 August 1990 p. 3633.]*

*[25A. Regulation 25A repealed in Gazette 24 November 1972 p. 4487.]*

#### **Department not bound to find storage accommodation**

26. 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.

*[Regulation 26 amended in Gazette 19 May 1989 p. 1495.]*

#### **Goods may be disposed of**

27. 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 6 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.

*[Regulation 27 amended in Gazette 19 May 1989 p. 1495.]*

#### **Goods to be checked before delivery**

28. 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.

*[Regulation 28 amended in Gazette 19 May 1989 p. 1495.]*

#### **Delay in delivery**

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

*[Regulation 29 amended in Gazette 19 May 1989 p. 1495.]*

#### **Wrong delivery**

30. 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.

*[Regulation 30 amended in Gazette 19 May 1989 p. 1495.]*

#### *Division 7—Responsibility of Department* *[Heading inserted in Gazette of 19 May 1989 p. 1494.]*

#### **Custody of cargo**

31. (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.

*[Regulation 31 amended in Gazette 19 May 1989 p. 1495.]*

#### **Goods without receipts**

32. 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.

*[Regulation 32 amended in Gazette 19 May 1989 p. 1495.]*

#### **Goods stacked on jetties**

33. 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.

*[Regulation 33 amended in Gazette 19 May 1989 p. 1495.]*

#### **Cargo damaged by fire, etc.**

34. 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.

*[Regulation 34 amended in Gazette 19 May 1989 p. 1495.]*

#### **Goods insufficiently packed**

35. 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.

*[Regulation 35 amended in Gazette 19 May 1989 p. 1495.]*

#### **Claims in respect of cargo**

36. 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 4 days of the vessel leaving the port, nor in respect of outward goods, unless received by the officer in charge within 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 recognized by the Department, which form will be supplied on application.

*[Regulation 36 amended in Gazettes 24 November 1972 p. 4487; 19 May 1989 p. 1495.]*



*Division 8—Working hours*  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Ordinary time**

37. 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.

[Regulation 37 amended in Gazettes 17 March 1960 p. 778; 19 May 1989 p. 1495.]

**Overtime**

38. 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.

[Regulation 38 amended in Gazette 19 May 1989 p. 1495.]

**Wages incurred through ships' delays to be paid for**

38A. 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.

[Regulation 38A inserted in Gazette 12 July 1957 p. 2271; amended in Gazette 19 May 1989 p. 1495.]

**Master to give notice of desire to work**

39. The master of a vessel desiring to work any hours, not being working hours as defined above, shall give to the officer in charge, 2 hours' notice, and on holidays 12 hours' notice, of his desire to do so.

[Regulation 39 amended in Gazette 19 May 1989 p. 1495.]

*Division 9—Livestock or vehicles on jetties or premises*  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Livestock on jetties or premises**

40. 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.

[Regulation 40 amended in Gazette 19 May 1989 p. 1495.]

**Riding vehicles, etc., on jetties or premises**

41. 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.

[Regulation 41 amended in Gazettes 17 March 1960 p. 779; 19 May 1989 p. 1495.]

**Vehicles not to be parked on jetties**

41A. No person shall drive, park, stand, or leave unattended a vehicle on a jetty or the approaches to a jetty unless he is expressly authorized 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.

*[Regulation 41A inserted in Gazette 17 March 1960 p. 779; amended in Gazette 19 May 1989 p. 1495.]*

**Department not responsible for vehicles on jetties**

41B. 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.

*[Regulation 41B inserted in Gazette 17 March 1960 p. 779; amended in Gazette 19 May 1989 p. 1495.]*

**Drivers of vehicles to obey instructions**

42. 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 authorized employee of the Department.

*[Regulation 42 amended in Gazette 19 May 1989 p. 1495.]*

**Persons not to be on jetties when livestock is being handled**

43. 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.

*[Regulation 43 amended in Gazette 19 May 1989 p. 1495.]*

*Division 10—Miscellaneous*

*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

**Bill posting, defacement and obscenity**

44. No person, unless authorized 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 authorized 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.

*[Regulation 44 amended in Gazette 19 May 1989 p. 1495.]*

### **Disorderly persons**

45. (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.

*[Regulation 45 amended in Gazette 19 May 1989 p. 1495.]*

### **Fires not to be lit**

46. 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.

*[Regulation 45 amended in Gazette 19 May 1989 p. 1495.]*

### **Gates to be shut**

47. 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.

*[Regulation 47 amended in Gazette 19 May 1989 p. 1495.]*

### **Interference with lights**

48. 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.

*[Regulation 48 amended in Gazette 19 May 1989 p. 1495.]*

### **Interference with or damaging property**

49. 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.

*[Regulation 49 amended in Gazette 19 May 1985 p. 1495.]*

**Lost property**

50. 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.

*[Regulation 50 amended in Gazette 19 May 1985 p. 1495.]*

**Obstruction of officers, or premises**

51. 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.

*[Regulation 51 amended in Gazette 19 May 1989 p. 1495.]*

**Obstruction of or damage to jetties or premises**

52. 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.

*[Regulation 52 amended in Gazette 19 May 1989 p. 1495.]*

**Rubbish, etc., not to be thrown**

53. 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.

*[Regulation 53 amended in Gazette 19 May 1989 p. 1495.]*

**Sale of articles prohibited**

54. No person, unless authorized 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.

*[Regulation 54 amended in Gazette 19 May 1989 p. 1495.]*

### Smoking and loitering

55. 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.

[Regulation 55 amended in Gazette 19 May 1989 p. 1495.]

### Trespassing

56. 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.

[Regulation 56 amended in Gazette 19 May 1989 p. 1495.]

[57., 58., 59., 60., 61., 62., 63., 64., 65., 66., 67. Regulations 57, 58, 59, 60, 61, 62, 63, 64, 65, 66 and 67 repealed in Gazette 24 November 1972 p. 4487.]

### Conditions for construction and installation of pipelines

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

- (1) This regulation applies to pipelines 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 pipelines, 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 pipeline 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 licence from the Minister.
- (4) (a) When an existing pipeline is to be relaid or renewed, or any major repairs are to be effected, such pipeline or such section thereof as the Department may determine shall be classified as a new pipeline 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 pipeline require such owner to relay, renew or repair such pipeline in such manner and within such time as the notice requires.
- (6) Pipelines, 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 pipelines shall be welded wherever practicable, and otherwise shall be made with flanged ends or other means approved by the Department.
- (8) Where pipelines 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 pipelines are placed below the deck of a wharf, access openings, with covers, shall be provided to them.
- (10) Pipelines 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 pipeline. Where required by the Department an approved non-return valve shall be placed in the pipeline at the shore end of the wharf or at the shore end of a submarine pipeline. Subject to the approval of the Department the requirement of a non-return valve at the seaward end of the pipeline 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 15 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 pipeline 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 pipeline control points.
- (12) Pipelines 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 pipelines 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 4 bolts, or screwed caps.
- (14) Pipelines and the control valves shall be marked as required by the Department.
- (15) Pipelines 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) Pipelines shall receive adequate protection against corrosion and other injury.
- (17) If so required by the Department any pipeline laid under water shall be afforded cathodic protection in an approved manner.
- (18) Pipelines 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 pipelines 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) Pipelines 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 2 megapascals with water in sections over the full length of the pipeline, 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 pipelines left full of liquid.

[Regulation 67A inserted in Gazette 17 March 1960 p. 779; amended in Gazettes 28 September 1960 p. 2987; 16 September 1963 p. 2829; 15 June 1973 p. 2237; erratum 13 December 1974 p. 5344.]

### Maintenance and operation of pipelines

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

- (1) Underground pipelines between the wharf and the storage tanks shall be examined by the owner at intervals not exceeding 3 years and a certificate forwarded to the Department that the pipelines 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) To prevent the flow of direct current between ship and pipeline an insulating flange shall be fitted in the shore pipeline, or one easily identifiable, non-conductive hose inserted in the hose string and the insulating flange or non-conductive hose, as the case may be, shall comply in all respects with the Association of Australian Port and Marine Authorities, Rules for the Handling of Dangerous Goods and Oils in Ports, Part 5.
- (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 6 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) Pipelines 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 pipeline of a type approved by the Department.

- (6) Pipelines 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 3 monthly intervals.
- (7) Electrical equipment on oil wharves or located within 50 feet of shore terminal valves in pipelines 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 6 months to ensure their continued compliance with such rules or requirements.
- (8) Pipelines 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 pipelines shall be restricted to a maximum of one metre per second for a period of 30 minutes, or sufficient time to clear the pipeline 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 pipelines vary in bore, the limiting rate shall be applied to that part having the smallest bore.

- (10) During pumping operations, pipelines 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) Pipelines, 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 authorized by the Department, on the completion of loading or unloading shall be thoroughly freed of inflammable liquid and the hoses disconnected from the shore pipelines. Pipelines, 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 15 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 pipelines, 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 pipeline shall be closed.
- (22) On completion of pumping operations pipelines 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), the Department may grant exemption from this provision in the case of underwater pipelines used for the transmission of crude oil having a flash point of less than 61° Celsius or any pipeline 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 pipeline or flexible hose unless the pipeline 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 pipelines shall be cleared of oil with a flash point of not less than 150° 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) Pipelines, hoses, valves and other appliances shall be coupled up and pumping commenced at least one hour before sunset, and such pipelines 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.

[Regulation 67B inserted in Gazette 17 March 1960 p. 780; amended in Gazette 20 December 1962 p. 4054; 16 September 1963 p. 2829; 15 June 1973 p. 2237; 6 February 1981 p. 555.]

[67C. Regulation 67C repealed in Gazette 14 April 1966 p. 918.]

**Penalty for failure to remove or amend pipeline**

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

*[Regulation 67D inserted as regulation 67E in Gazette 17 March 1960 p. 783; renumbered 67D in Gazette 28 September 1960 p. 2988.]*

**PART 2—REGULATIONS APPLYING TO JETTIES WITHIN THE PORT OF PERTH**

*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

*Division 1—Application of this Part*

*[Division 1 inserted in Gazette 19 May 1989 p. 1494.]*

**Application**

67E. This Part applies to all jetties within the Port of Perth.

*[Regulation 67E inserted in Gazette 19 May 1989 p. 1494.]*

*Division 2—Management and use of jetties*

*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

**Control of jetties**

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

*[Regulation 68 amended in Gazette 19 May 1989 p. 1495.]*

**Use of jetties**

69. (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*.

*[Regulation 69 amended in Gazette 19 May 1989 p. 1495.]*

**Jetties may be closed**

70. (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 Transport<sup>3</sup> 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.

*[Regulation 70 amended in Gazette 19 May 1989 p. 1495.]*

**Landing fee**

70A. The amount of 20 cents per passenger landed at Rottneest Island public jetty by a vessel classified under the *W.A. Marine (Surveys and Certificates of Survey) Regulations 1983* as a passenger carrying vessel, shall be paid by the owner of the vessel.

*[Regulation 70A inserted in Gazette 30 June 1989 p. 1917.]*

*Division 3—Mooring and berthing of vessels*  
*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

**Permit required to moor, etc., alongside jetty or buoy**

71. 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.

*[Regulation 71 amended in Gazette 19 May 1989 p. 1495.]*

**Duration of, and charges for, permits**

72. (1) A permit issued under regulation 71 shall remain in force for one year from the date of issue or such lesser time as is specified on the permit and shall have effect subject to regulation 70 and regulation 75.

(2) Payment for a permit shall be made in advance unless, in respect of a permit to be issued for one year, the General Manager approves of payment monthly in advance.

(3) Subject to this regulation, permission or a permit shall not be granted under regulation 71 or 73 until the appropriate fee set out in Appendix IA has been paid to the Department.

(4) A permit may be cancelled and the berth reallocated by the Department where payment is not made in advance.

(5) Where a vessel permanently vacates the berth for which it holds a permit, the Department may cancel the permit.

(6) The provisions of subregulation (3) do not apply to any vessels owned and operated by the Police Department or other Government Department or instrumentality exempted in writing by the Department.

(7) A vessel shall not be subject to charges pursuant to this regulation where a charge is paid in respect of that vessel for the berth pursuant to regulation 57 of the *Navigable Waters Regulations*.

*[Regulation 72 inserted in Gazette 25 November 1983 pp. 4669-70; amended in Gazettes 30 August 1985 p. 3077; 16 October 1987 p. 3893; 29 June 1989 pp. 1917-18; 1 August 1990 p. 3633.]*

**Permit for exclusive use of a berth**

73. (1) Subject to the payment of the charge payable under regulation 72 the Department may grant to the owner of any vessel licensed to carry passengers a permit for the exclusive use of a berth at a public jetty as a berth for such vessel, subject to accommodation for the time being available.

(2) Where a permit for the exclusive use of a berth is granted under subregulation (1) for a vessel, no other vessel shall use the berth while the permit is current.

(3) Any permit granted under this regulation may specify:—

- (a) any other berth or jetty within the Port of Perth at which the vessel may berth to pick up or set down passengers;
- (b) the time or times that the vessel may berth or pick up or set down passengers;
- (c) other conditions which the Manager considers necessary for good order on or about a public jetty or in the interests of safety of the passengers, vessel or jetty.

(4) Any of the conditions specified in a permit issued under this regulation may be amended or varied by notice in writing served on the person in charge of the vessel subject to the permit or upon the owner of the vessel by letter addressed to his registered office.

(5) A person who, by act or omission, contravenes the conditions of a permit issued under this regulation or under regulation 71 is liable on conviction to a penalty not exceeding \$200.

(6) The Minister may cancel any permit issued under regulation 71 or this regulation if he is satisfied that the holder of a permit has failed to observe the conditions of the permit so issued or has failed to observe any regulation relating to the maintenance of good order or safety on or about a public jetty.

*[Regulation 73 inserted in Gazette 31 March 1978 p. 990; amended in Gazette 25 November 1983 p. 4670.]*

#### **Manner of mooring vessels**

74. (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.

*[Regulation 74 amended in Gazette 19 May 1989 p. 1495.]*

#### **Vessels not to remain at jetties longer than necessary**

75. 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.

*[Regulation 75 amended in Gazette 19 May 1989 p. 1495.]*

#### **Mooring of rafts and boathouses**

76. No raft or boathouse shall be moored within 91 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 2 bright lights from sunset to sunrise, one at each end, and fixed at least 8 feet above water level.

*[Regulation 76 amended in Gazettes 15 June 1973 p. 2238; 19 May 1989 p. 1495.]*

**Vessels to be in charge of a competent person**

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

*[Regulation 77 amended in Gazette 19 May 1989 p. 1495.]*

**Approaching jetties after sunset**

78. 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.

*[Regulation 78 amended in Gazette 19 May 1989 p. 1495.]*

*Division 4—Loading or discharging cargo*

*[Heading inserted in Gazette 19 May 1989 p. 1494.]*

**Wharfage to be paid**

79. The owners of all vessels shall pay as wharfage dues the sum of 10 cents per tonne except where special licences 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.

*[Regulation 79 amended in Gazettes 29 October 1948 p. 2579; 15 June 1973 p. 2238; 19 May 1989 p. 1495.]*

**Vessels loading or discharging**

80. 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.

*[Regulation 80 amended in Gazette 19 May 1989 p. 1495.]*

**Cargo to be removed**

81. (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 or material may be ordered to be removed, and the cost of removal shall be borne by the said consignor or consignee, and he shall, in addition to such cost, be liable to the penalty prescribed for breach of these regulations.

*[Regulation 81 amended in Gazette 19 May 1989 p. 1495.]*

**Cargo not to remain on jetties overnight**

82. No cargo shall remain on any public jetty overnight, without written permission from the Department, and then the said cargo shall remain at the owner's risk, and such owner will be held responsible for any damage whatsoever incurred thereby. Under no circumstances shall any dangerous cargo or volatile spirit be allowed to remain on any public jetty overnight.

[Regulation 82 amended in Gazette 19 May 1989 p. 1495.]

**Explosives not to be handled without permission**

83. No explosives, as defined by section 4 of the *Explosives Act 1895*<sup>4</sup>, shall be landed or discharged on any public jetty without the permission of the Department.

[Regulation 83 amended in Gazette 19 May 1989 p. 1495.]

**Manner of handling cargo**

84. All cargo carted or conveyed on to any public jetty shall be carefully removed from the vehicles carrying the same into the vessel receiving the same, and shall in no case be tipped from such vessel on to the said public jetty. Provided that this regulation shall not apply to sand, stone, gravel, soil or manure, which is carefully loaded on any such public jetty by special permission, in writing, of the Department.

[Regulation 84 amended in Gazette 19 May 1989 p. 1495.]

*Division 5—Navigation of vessels*

[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Power vessels approaching jetties**

85. (a) In the case of 2 power vessels approaching the same public jetty at the same time from opposite directions, the power vessel bound down a river shall give way to the power vessel bound up a river.

(b) In the case of 2 power vessels approaching the same public jetty at the same time in the same direction, the power vessel on the outer course shall give way to the power vessel on the inner course.

[Regulation 85 amended in Gazette 19 May 1989 p. 1494.]

*Division 6—Miscellaneous*

[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Bathing from jetties**

86. Bathing between the hours of 7.30 a.m. and 9.30 p.m. from any public jetty is prohibited.

[Regulation 86 amended in Gazette 19 May 1989 p. 1495.]

**Damage to jetties**

87. The owner or owners of every vessel shall be personally liable for all damage to any public jetty done or occasioned by any person employed in such vessel, or in loading or discharging thereof; also for any penalties incurred by the master or crew or person employed on or in connection with such vessel, and any repairs rendered necessary may be executed by the Department, and the cost of such repairs shall be paid by the owner or owners liable for such damage, within 7 days after demand, and may be recovered by the Department summarily or otherwise, and any default in payment shall render such owner or owners liable to the penalty provided for breach of these regulations.

*[Regulation 87 amended in Gazette 19 May 1989 p. 1495.]*

**Fishing from certain places prohibited**

88. No person shall fish from any portion of the road bridge over the Swan River at Fremantle, or from the Canning bridge, or from the bridge or embankment across the Swan River, at Perth, known as the Perth causeway.

*[Regulation 88 amended in Gazette 19 May 1989 p. 1495.]*

**Fishing nets on jetties**

89. No fishing nets shall be hung on or spread about any part of any public jetty.

*[Regulation 89 amended in Gazette 19 May 1989 p. 1495.]*

**Gangways to be provided**

90. Steam vessels landing or shipping passengers at any public jetty shall provide suitable gangways of not less than 770 millimetres in width, having a hand-rail on both sides, and, after sunset, these gangways shall be sufficiently lighted.

*[Regulation 90 amended in Gazette 15 June 1973 p. 2239; 19 May 1989 p. 1495.]*

**Interference with jetties or approaches**

91. No person shall remove or cause to be removed from any public jetty, or the approaches thereto, any gravel, stone, timber, trees, shrubs, grasses, or other material, without the written permission of the Minister for Transport<sup>3</sup> or his representative.

*[Regulation 91 amended in Gazette 19 May 1989 p. 1495.]*

**Lifebuoys on jetties**

92. No person shall remove, damage, or destroy any lifebuoy on any public jetty or use the same for any purpose other than saving life.

*[Regulation 92 amended in Gazette 19 May 1989 p. 1495.]*

**Obstruction of jetties or officers**

93. (a) No person shall erect any bench, shear legs, crane, stocks, or other plant whatsoever, or in any way obstruct any public jetty, without first obtaining, in writing, the permission of the Minister for Transport<sup>3</sup> or his representative.

(b) No person or persons shall obstruct any representative of the Minister for Transport<sup>3</sup> in carrying out the construction of, or repairs or additions to, any public jetty.

*[Regulation 93 amended in Gazette 19 May 1989 p. 1495.]*

**Rubbish not to be thrown in river, etc.**

94. No stones, rubbish, ashes, or any other substance shall be thrown into any part of the river or discharged upon a public jetty, except at such places, if any, as may be defined for such purpose by the Department.

*[Regulation 94 amended in Gazette 19 May 1989 p. 1495.]*

**PART 2A—MOORING AND BERTHING OTHER THAN  
IN THE PORT OF PERTH**

*[Part 2A inserted in Gazette 1 August 1990 pp. 3633-3634.]*

**Fees for pen rentals and services**

94A. (1) The master of a vessel shall pay the fees for pen rentals and services set out in Part 1 of Appendix III.

(2) The fees referred to in subregulation (1) shall be paid—

(a) annually, on 1 July in each year; or

(b) where the rental and service period is for less than 12 months, from the commencement of the period to 30 June.

(3) Where a daily or monthly rate for pen rentals and services has not been prescribed under subregulation (1), the fee payable is—

(a) for each month, 12 per cent of the relevant fee;

(b) for each day, one per cent of the relevant fee,

set out in Part 1 of Appendix III.

*[Regulation 94A inserted in Gazette 1 August 1990 p. 3633.]*

**Fees for pile mooring**

94B. (1) The annual fees for pile mooring rental set out in Part 2 of Appendix III are payable in respect to a pile mooring rented by any vessel in any boat harbour or fishing boat harbour in the State, according to the size of that vessel.

(2) Where a daily or monthly rate for pile mooring has not been prescribed under subregulation (1), the fee payable is—

(a) for each month, 12 per cent of the relevant fee;

(b) for each day, one per cent of the relevant fee,

set out in Part 2 of Appendix III.

*[Regulation 94B inserted in Gazette 1 August 1990 pp. 3633-34.]*

**Fees for berthing or mooring on a casual basis**

94C. Where no other fee has been prescribed for berthing or mooring at a wharf or public jetty, the following fees are payable for berthing or mooring on a casual basis at a wharf or public jetty—

(a) where the length of the vessel (exclusive of the bowsprit) does not exceed 15 metres \$7 per day (or part thereof)



- (b) where the length of the vessel (exclusive of the bowsprit) exceeds 15 metres but does not exceed 20 metres ..... \$11 per day (or part thereof)
- (c) where the length of the vessel (exclusive of the bowsprit) exceeds 20 metres ..... \$16 per day or part thereof.

[Regulation 94C inserted in Gazette 1 August 1990 p. 3634.]

### PART 3—SPECIAL PROVISIONS APPLYING AT PARTICULAR PORTS

[Heading inserted in Gazette 19 May 1989 p. 1494.]

#### Division 1—Use of slipways

[Heading inserted in Gazette 19 May 1989 p. 1494.]

#### Management and control of slipways at various ports

95. (1) The officer in charge at Broome and the officer in charge at Shark Bay shall have the management and control of the slipways at Broome and Shark Bay respectively.

(2) The Harbour Master at Albany, Carnarvon and Esperance shall have the management and control of the slipways at Albany, Carnarvon and Esperance respectively.

(3) The Harbour Master at Port Walcott shall have the management and control of the slipway at John's Creek, Point Samson.

[Regulation 95 inserted in Gazette 1 December 1978 p. 4541; amended in Gazettes 23 September 1983 p. 3817; 6 July 1984 p. 2028.]

#### Application for use of slipway

95A. (a) All applications for the use of the slipway shall be made by the owner or master of the vessel, in writing in the form 3 set out in Appendix II, and he shall be bound by the conditions and schedule of charges.

(b) The priority for the use of the slipway shall be determined by the officer having the management and control of the slipway who shall have authority to grant or refuse any application.

[Regulation 95A inserted in Gazette 11 January 1946 p. 13; amended in Gazettes 2 May 1952 p. 1106; 17 March 1960 p. 783; 24 November 1972 p. 4488; 19 October 1973 p. 3818; 19 May 1987 p. 1495.]

#### Charges for use of slipway

96. (a) All vessels shall be charged for services rendered as prescribed in Appendix I.

(b) The dues charged shall cover the use of the slip, the haulage of the vessel to the slip and the supply of water and electric power. The owner or master of the vessel must arrange for the proper wedging, blocking, etc., to the satisfaction of the officer having the management and control of the slipway. Any damage done

to the structure and/or cradle shall be repaired at the expense of the owner or master of the vessel causing the damage.

(c) The owner or master of any vessel using the slip shall be responsible for the payment of all charges which he shall pay before the vessel is removed from the slip.

*[Regulation 96 inserted in Gazette 11 January 1946 p. 13; amended in Gazettes 2 May 1952 p. 1106; 17 March 1960 p. 783; 24 November 1972 p. 4488; 19 October 1973 p. 3818; 19 May 1989 p. 1495.]*

#### **Government vessels may take precedence**

97. Government vessels shall, when considered necessary, take precedence of all other craft, notwithstanding any previous application by private owners for the use of the slip.

*[Regulation 97 inserted in Gazette 11 January 1946 p. 13; amended in Gazette 19 May 1989 p. 1495.]*

#### **Vessels may forfeit their turn**

98. Vessels registered for and not arriving at the slip at the appointed time will be liable to the forfeiture of their turn.

*[Regulation 98 inserted in Gazette 11 January 1946 p. 13; amended in Gazette 19 May 1989 p. 1496.]*

#### **Department will not undertake repairs, etc.**

99. 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.

*[Regulation 99 inserted in Gazette 11 January 1946 p. 13; amended in Gazette 19 May 1989 p. 1496.]*

#### **Department not responsible for damage to vessel when in use of slip**

100. 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.

*[Regulation 100 inserted in Gazette 11 January 1946 p. 13; amended in Gazette 19 May 1989 p. 1496.]*

#### **Duties of owner or master using slipway**

101. (1) The owner or master of a vessel using the slipway shall—
- (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) 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.

*[Regulation 101 inserted in Gazette 19 October 1973 p. 3819.]*

**Slipping of more than one vessel at a time**

101A. The officer in charge may by special permission allow more than one vessel to be taken on a slipway at the one time.

[Regulation 101A inserted in Gazette 24 November 1972 p. 4488; amended in Gazette 19 May 1989 p. 1496.]

**Dispute procedure**

101B. 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.

[Regulation 101B inserted in Gazette 11 January 1946 p. 13; amended in Gazette 19 May 1989 p. 1496.]

[102, 103, 104, 105. Regulations 102, 103, 104 and 105 repealed in Gazette 24 November 1972 p. 4488.]

*Division 2—Use of mooring springs*  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Mooring springs to be used**

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.

Provided that the use of springs for vessels not exceeding 500 tons gross register shall be at the discretion of the officer in charge.

[Regulation 105A inserted in Gazette 3 January 1947 p. 7; amended in Gazette 30 May 1952 p. 1335.]

**Charge for spring use**

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.

[Regulation 105B inserted in Gazette 3 January 1947 p. 7.]

**Officer in charge to decide on the number of springs to be used**

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.

[Regulation 105C inserted in Gazette 3 January 1947 p. 7.]

**Receipt for springs to be issued**

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.

[Regulation 105D inserted in Gazette 3 January 1947 p. 7.]

**Springs to be laid in position and replaced after use**

**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.

*[Regulation 105E inserted in Gazette 3 January 1947 p. 7.]*

**Approaching bollard or jetty to which mooring spring or rope fastened**

**105F.** A person shall not, unless authorized by the officer in charge, approach within 4 metres of any bollard, or any other part of such public jetty to which any mooring spring or rope is fastened.

*[Regulation 105F inserted in Gazette 3 January 1947 p. 7; amended in Gazette 15 June 1973 p. 2238.]*

**Duty of master, owner or agent using mooring springs**

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

- (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.

*[Regulation 105G inserted in Gazette 3 January 1947 p. 7.]*

**Removal of mooring springs on transfer of vessel**

**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.

*[Regulation 105H inserted in Gazette 3 January 1947 p. 7.]*

**Government not responsible for loss, damage, etc.**

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

- (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.

*[Regulation 105HA inserted in Gazette 12 July 1957 p. 2271.]*

**Use of privately owned springs and winches**

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

- (a) of 40 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.

[Regulation 105HB inserted in Gazette 12 July 1957 p. 2271.]

*Division 3—Package refrigeration units on Wyndham Jetty*  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Limit of storage without charge in package refrigeration units**

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 2 cents per kilogram for each week or part of a week.

(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.

[Regulation 105HC inserted by No. 23 June 1964 p. 2500; amended in Gazette 15 June 1973 p. 2238.]

*Division 4—Use of weighbridges at Wyndham or Broome*  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Weighbridge fees**

105I (1) Every person making use of the 50 tonne weighbridges at Wyndham or Broome, shall pay a fee as follows—

	\$
not exceeding 2.5 tonnes .....	2.25
exceeding 2.5 tonnes but not exceeding 5 tonnes .....	2.30
exceeding 5 tonnes but not exceeding 10 tonnes .....	2.90
exceeding 10 tonnes but not exceeding 15 tonnes .....	3.15
exceeding 15 tonnes but not exceeding 20 tonnes .....	3.85
exceeding 20 tonnes but not exceeding 30 tonnes .....	4.05
exceeding 30 tonnes but not exceeding 40 tonnes .....	4.85
exceeding 40 tonnes but not exceeding 50 tonnes .....	6.20
exceeding 50 tonnes .....	8.15

(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).

(3) Where multi-unit vehicles are weighed, under this regulation, each unit shall be weighed separately and a ticket issued for each unit.

[Regulation 105I inserted in Gazette 11 August 1964 p. 2880; amended in Gazettes 17 March 1966 p. 731; 30 December 1968 p. 3949; 24 November 1972 p. 4488; 15 June 1973 p. 2238; 20 June 1980 p. 1835; 26 June 1981 p. 2410; 9 July 1982 p. 2510; 5 August 1983 p. 2835; 8 August 1986 p. 2828; 16 October 1987 p. 3894; 14 October 1988 p. 4164; 30 June 1989 p. 1918; 1 August 1990 p. 3634.]

*Division 5—East Street Jetty, Fremantle*  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Use of East Street Jetty, Fremantle**

**105J.** A person shall not lift, or cause to be lifted a vessel over the East Street Jetty, Fremantle and a person shall not land or ship any cargo on or from the East Street Jetty, Fremantle, unless the owner or his agent has first obtained from the Department permission to make use of the jetty for that purpose and has paid in advance the charge of \$44.00.

[Regulation 105J inserted in Gazette 2 November 1979 p. 3467; amended in Gazettes 26 June 1981 p. 2410; 5 August 1983 p. 2835; 8 August 1986 p. 2828; 16 October 1987 p. 3894; 30 June 1989 p. 1918; 1 August 1990 p. 3634.]

**PART 4—BREACH OF REGULATIONS AND PENALTIES**  
[Heading inserted in Gazette 19 May 1989 p. 1494.]

**Powers of officer of Department**

**106.** When the breach of these regulations is attended with any danger or annoyance to the public or any person, any officer of the Department may summarily interfere to obviate or remove such danger or annoyance or the person causing the same, without prejudice to any proceedings against the offender for any penalty to which he may be liable.

[Regulation 106 amended in Gazette 19 May 1989 p. 1496.]

**Recovery of expenses incurred by breaches of regulations**

**107.** Where any person or persons by the foregoing regulations or any of them are required to do or perform any act or thing, and any such act or thing remains undone, the Minister for Transport<sup>3</sup> or the Department may cause the same to be performed, and charge the cost and expenses against such person or persons, and the amount thereof may be recovered as a debt due to the Crown in any court of competent jurisdiction.

[Regulation 107 amended in Gazette 19 May 1989 p. 1496.]

**Police have authority to enforce regulations**

**107A.** For the purpose of seeing that all or any of these regulations are carried out and to preserve order, Police officers in uniform shall have access to any jetty or premises of the Department at any hour of the day or night, and shall be allowed and authorized to ask any reasonable question of any person thereon, and any information required shall in all cases be furnished.

[Regulation 107A inserted in Gazette 17 March 1960 p. 784; amended in Gazette 19 May 1989 p. 1496.]

**Penalty for offences**

**108.** Every person who by any act or omission fails in any respect to observe, perform, or comply with any provision or requirement of any of the foregoing regulations shall be guilty of an offence against these regulations, and where no particular penalty is prescribed by these regulations, shall on conviction be liable to a penalty not exceeding \$200.

[Regulation 108 amended in Gazettes 17 September 1976 p. 3463; 19 May 1989 p. 1496.]

APPENDIX I  
WHARFAGE, HAULAGE AND HANDLING CHARGES

	Wharfage all Ports	Handling		Haulage all Ports
		Broome	Wyndham	
Empty Returns .....per tonne or m <sup>3</sup>	\$ .95	\$ 13.10	\$ 13.10	\$ 1.65
Explosives .....per tonne or m <sup>3</sup>	1.75	20.00	21.25	1.65
Fertilizer .....per tonne or m <sup>3</sup>	1.40	19.05	21.25	1.65
Livestock—				
Bullocks, Cows, Horses, etc .....each .....	.91	at cost	at cost	at cost
Pigs, Sheep, Goats, Dogs etc .....each .....	.17	at cost	at cost	at cost
Meat-Chilled or frozen .....per tonne or m <sup>3</sup>	1.70	19.05	21.25	1.65
Oil, etc. by pipeline—				
Bulk .....per kilolitre .....	5.00	—	—	—
Ore—				
Bulk .....per tonne .....	1.35	at cost	at cost	—
In containers .....per tonne .....	1.35	at cost	at cost	1.65
Products of the Soil of the State except other- wise stated (exported) .....per tonne or m <sup>3</sup>	.80	at cost	at cost	1.65
Timber—				
Direct from Over- seas—				
In bundles .....per tonne or m <sup>3</sup>	1.75	19.05	21.25	1.65
Loose .....per tonne or m <sup>3</sup>	1.75	27.45	27.45	1.65
Ex. WA ports in bundles .....per tonne or m <sup>3</sup>	.80	19.05	21.25	1.65
Ex. WA ports loose .....per tonne or m <sup>3</sup>	.80	27.45	27.45	1.65
Vehicles—				
Commercial vehicles on own wheels .....per tonne or m <sup>3</sup>	1.70	7.80	7.80	1.65
Motor cars and utilities on own wheels .....per tonne or m <sup>3</sup>	1.55	7.80	7.80	1.65
All other goods .....per tonne or m <sup>3</sup>	2.95	19.05	21.25	1.65

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

LIVESTOCK HANDLING—Charges for handling livestock shall be according to the service rendered.

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

BERTHAGE DUES—Per tonne, cubic metre or kilolitre, (referred to in this paragraph as “unit”) at the option of the officer in charge, on all cargo landed or shipped—

(a) for a vessel over 300 gross registered tonnes—35 cents per unit with a minimum of \$65.00 per day or part thereof.

(b) for a vessel under 300 gross registered tonnes—35 cents per unit with a minimum of \$41.00 per day or part thereof.

(c) for pearling store ships, mission vessels and luggers—35 cents per unit with a minimum of \$16.40 per day or part thereof.

FRESH WATER—Supplied to ships \$1.20 per kilolitre.

LIGHTING JETTY—

Broome—

\$4.85 per hour or part thereof.

Wyndham—

For full lighting of jetty, shed and yard \$14.35 per hour, for use of jetty lighting \$4.60 per hour. For reduced jetty lighting \$1.60 per hour.

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

MOTHER OF PEARL SHELL—Broome—Shall be treated as cargo for transshipment and pay wharfage one way. Department is not responsible for safe custody or loss of or damage to such shell.

STORAGE—See regulation 25.

WHARFAGE—All Ports—A special wharfage use charge of 16 cents per tonne or cubic metre is payable on all inward and outward cargo conveyed to or from a vessel's side by road vehicles on all jetties.

HIRE OF MOBILE CRANE OR FORK LIFTS—\$34.00 per hour or part thereof (cost of operator's wage not included).

#### SLIPWAY CHARGES

	\$
Water and Electric Power Charges—all slipways	
Use of Water—per day or part thereof .....	2.10
Use of Power—per day or part thereof .....	3.55

#### CARNARVON SLIPWAY

##### Slippage Fees

	\$
Vessels not exceeding 10 metres—per day or part thereof .....	64.00
Vessels over 10 metres but not exceeding 15 metres—per day or part thereof .....	94.00
Vessels over 15 metres but not exceeding 20 metres—per day or part thereof .....	150.00
Vessels over 20 metres—per day or part thereof .....	245.00

##### Haulage Charge

All vessels .....	120.00
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#### ESPERANCE AND SHARK BAY SLIPWAYS

##### Slippage Fees

	\$
Vessels not exceeding 5 metres—per day or part thereof .....	29.00
Vessels exceeding 5 metres but not exceeding 12 metres—per day or part thereof .....	44.00
Vessels exceeding 12 metres—per day or part thereof .....	51.00

##### Haulage Charge

All vessels .....	34.00
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## ALBANY SLIPWAY

## Slippage Fees

Vessels not exceeding 50 tonnes—per day or part thereof	\$ 64.00
Vessels over 50 tonnes but not exceeding 100 tonnes—per day or part thereof .....	126.00
Vessels over 100 tonnes but not exceeding 200 tonnes—per day or part thereof .....	378.00
Vessels over 200 tonnes per day or part thereof .....	758.00
Operators time at cost, with a minimum for each service of	110.00

## JOHN'S CREEK, POINT SAMSON

## Slippage Fees

All vessels—per day or part thereof .....	\$ 94.00
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## Haulage Charge

All vessels .....	78.00
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[Appendix I inserted in Gazette 1 August 1990 pp. 3634-36.]

## APPENDIX IA

(Reg. 72)

## BERTHING FEES

## 1. Fees applicable for year ending 30 June 1991—

Vessels with permanent berths under regulation 73. The annual fee to be paid is  $A \times B \times 1.08$  where—

A is the amount of \$60 x the gross tonnage of the vessel.

B is the amount B represents in the following equation—

$$B = \frac{\text{the square root of } C}{A}$$

C is the amount specified in column 2 of the Table to this item opposite the length of the vessel as specified in column 1 of the Table.

TABLE

Length of Vessel	Specified amount \$
7 m- 7.99 m	1 794
8 m- 8.99 m	1 907
9 m- 9.99 m	1 963
10 m-10.99 m	2 201
11 m-11.99 m	2 509
12 m-12.99 m	2 859
13 m-13.99 m	3 279
14 m-14.99 m	3 757
15 m-15.99 m	4 289
16 m-16.99 m	4 891
17 m-17.99 m	5 538

Length of Vessel	Specified amount \$
18 m-18.99 m	6 253
19 m-19.99 m	7 036
20 m-20.99 m	7 865
21 m-21.99 m	8 761
22 m-22.99 m	9 714
23 m-23.99 m	10 724
24 m-24.99 m	11 802
25 m and over	488 per metre

2. Vessels without permanent berths under regulation 73. Fees applicable for year ending 30 June 1991—

TABLE

Length of Vessel	Fee per day \$	Fee per month \$
0 m- 7.99 m	18	215
8 m- 8.99 m	19	229
9 m- 9.99 m	20	235
10 m-10.99 m	22	264
11 m-11.99 m	25	301
12 m-12.99 m	29	343
13 m-13.99 m	33	393
14 m-14.99 m	38	451
15 m-15.99 m	43	514
16 m-16.99 m	49	587
17 m-17.99 m	55	664
18 m-18.99 m	62	750
19 m-19.99 m	70	844
20 m-20.99 m	79	943
21 m-21.99 m	88	1 051
22 m-22.99 m	97	1 165
23 m-23.99 m	107	1 286
24 m-24.99 m	118	1 415
25 m and over	5.40 per metre	59.40 per metre

[Appendix IA inserted in Gazette 1 August 1990 pp. 3636-7.]

## APPENDIX II

[Form 1, Form 2. Forms 1 and 2 deleted in Gazette 24 November 1972 p. 4491.]

Form 3

Western Australia

Department of Marine and Harbours  
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 all .....	..... metres
Beam (extreme) .....	..... metres
Draught—Forward .....	..... metres
—Aft .....	..... metres
Deadweight .....	..... tonnes
Gross tonnage .....	..... tons
Particulars of keel or any peculiarity in construction to be given here	
.....	

Date slip required ..... 19..... Time ..... a.m./p.m.

Date launching required .. 19..... 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 prescribed in the *Jetties Act Regulations 1940*.

Date .....

Master or Owner.

THE TREASURY CASHIER,

The above vessel occupied the slip from ..... a.m.  
..... p.m.

on ..... to ..... a.m. on .....  
..... p.m.

The fee payable is \$..... Details are shown on Docket No.  
.....

.....  
Officer in Charge of Slip.

[Form 3 inserted in Gazette 6 July 1984 p. 2029.]

## APPENDIX III

(Regs 94A and 94B)

## Part 1. Pen rentals and service fees (Reg 94A)

1. Hillarys Boat Harbour.  
(Year ending—30 June 1991)

Length of Vessel	Annual Pen Fee	Service Fee Annual	6 Monthly Fee	Service Fee (6 monthly)	3 Monthly Fee	Service Fee (3 monthly)	Monthly Rate	Daily Rate
0 m- 7.99 m	1809	54	1013	30	561	17	217	18
8 m- 8.99 m	1924	58	1077	32	596	18	231	19
9 m- 9.99 m	1981	59	1109	33	614	18	238	20
10 m-10.99 m	2221	67	1244	37	689	21	267	22
11 m-11.99 m	2531	76	1417	43	784	24	304	25
12 m-12.99 m	2885	87	1615	48	894	27	346	29
13 m-13.99 m	3308	99	1853	56	1026	31	397	33
14 m-14.99 m	3790	114	2122	64	1175	35	455	38
15 m-15.99 m	4328	130	2424	73	1342	40	519	43
16 m-16.99 m	4935	148	2764	83	1530	46	592	49
17 m-17.99 m	5588	168	3129	94	1732	52	671	56
18 m-18.99 m	6309	189	3533	106	1956	59	757	63
19 m-19.99 m	7098	213	3975	119	2200	66	852	71
20 m-20.99 m	7934	238	4443	133	2460	74	952	79
21 m-21.99 m	8838	265	4949	148	2740	82	1061	88
22 m-22.99 m	9800	296	5488	165	3038	91	1176	98
23 m-23.99 m	10820	325	6059	182	3354	101	1298	108
24 m-24.99 m	11907	357	6668	200	3691	111	1429	119

2. Jurien Boat Harbour.  
(Year ending—30 June 1991)

Length of Vessel	Annual Pen Fee	Service Fee Annual	Monthly Rate	Daily Rate
0 m- 7.99 m	1288	39	155	13
8 m- 8.99 m	1374	41	165	14
9 m- 9.99 m	1417	43	170	14
10 m-10.99 m	1589	48	191	16
11 m-11.99 m	1803	54	216	18
12 m-12.99 m	2061	62	247	21
13 m-13.99 m	2361	71	283	24
14 m-14.99 m	2705	81	325	27
15 m-15.99 m	3091	93	371	31
16 m-16.99 m	3520	106	422	35
17 m-17.99 m	3993	120	479	40
18 m-18.99 m	4508	135	541	45
19 m-19.99 m	5066	152	608	51
20 m-20.99 m	5668	170	680	57
21 m-21.99 m	6311	189	757	63
22 m-22.99 m	6998	210	840	70
23 m-23.99 m	7729	232	927	77
24 m-24.99 m	8501	255	1020	85

3. Carnarvon Boat Harbour.  
(Year ending—30 June 1991)

Length of Vessel	Annual Pen Fee	Service Fee Annual	Monthly Rate	Daily Rate
0 m- 7.99 m	1288	39	155	13
8 m- 8.99 m	1374	41	165	14
9 m- 9.99 m	1417	43	170	14
10 m-10.99 m	1589	48	191	16
11 m-11.99 m	1803	54	216	18
12 m-12.99 m	2061	62	247	21
13 m-13.99 m	2361	71	283	24
14 m-14.99 m	2705	81	325	27
15 m-15.99 m	3091	93	371	31
16 m-16.99 m	3520	106	422	35
17 m-17.99 m	3993	120	479	40
18 m-18.99 m	4508	135	541	45
19 m-19.99 m	5066	152	608	51
20 m-20.99 m	5668	170	680	57
21 m-21.99 m	6311	189	757	63
22 m-22.99 m	6998	210	840	70
23 m-23.99 m	7729	232	927	77
24 m-24.99 m	8501	255	1020	85

4. Challenger Boat Harbour (Fremantle).  
(Year ending—30 June 1991)

Length of Vessel	Annual Pen Fee 1990
0 m- 7.99 m	1344
8 m- 8.99 m	1429
9 m- 9.99 m	1472
10 m-10.99 m	1650
11 m-11.99 m	1880
12 m-12.99 m	2143
13 m-13.99 m	2458
14 m-14.99 m	2816
15 m-15.99 m	3216
16 m-16.99 m	3667
17 m-17.99 m	4151
18 m-18.99 m	4687
19 m-19.99 m	5274
20 m-20.99 m	5895
21 m-21.99 m	6567
22 m-22.99 m	7282
23 m-23.99 m	8039
24 m-24.99 m	8847

5. Fishing Boat Harbours.

The following pen fees are payable in respect of—

- (a) Fremantle Fishing Boat Harbour;
- (b) Esperance Fishing Boat Harbour;
- (c) Emu Point Fishing Boat Harbour (Albany); and

(d) Johns Creek Fishing Boat Harbour (Point Samson),  
for the year ending 30 June 1991.

Length of Vessel	Fremantle	Esperance	Albany	Point Samson
0 m- 7.99 m	630	630	453	829
8 m- 8.99 m	702	702	505	926
9 m- 9.99 m	767	767	552	1012
10 m-10.99 m	855	855	616	1128
11 m-11.99 m	951	951	685	1255
12 m-12.99 m	1053	1053	758	1389
13 m-13.99 m	1163	1163	837	1534
14 m-14.99 m	1279	1279	920	1686
15 m-15.99 m	1400	1400	1007	1845
16 m-16.99 m	1526	1526	1098	2012
17 m-17.99 m	1656	1656	1192	2184
18 m-18.99 m	1792	1792	1290	2362
19 m-19.99 m	1932	1932	1390	2547
20 m-20.99 m	2075	2075	1493	2736
21 m-21.99 m	2222	2222	1598	2929
22 m-22.99 m	2372	2372	1706	3128
23 m-23.99 m	2525	2525	1818	3330
24 m-24.99 m	2682	2682	1930	3536

Part 2. *Pile moorings fees (Reg 94B)*

(Year ending—30 June 1991)

The following fees apply to vessels on permanent pile moorings statewide.

Length of Vessel	Pile Mooring Annual Fee
0 m- 4.99 m	648
5 m- 5.99 m	729
6 m- 6.99 m	783
7 m- 7.99 m	905
8 m- 8.99 m	962
9 m- 9.99 m	990
10 m-10.99 m	1110
11 m-11.99 m	1265
12 m-12.99 m	1442
13 m-13.99 m	1654
14 m-14.99 m	1895
15 m-15.99 m	2164
16 m-16.99 m	2467
17 m-17.99 m	2793
18 m-18.99 m	3154
19 m-19.99 m	3549
20 m-20.99 m	3967
21 m-21.99 m	4419
22 m-22.99 m	4900
23 m-23.99 m	5409
24 m-24.99 m	5953

[Appendix III inserted in Gazette 1 August 1990 pp. 3637-40.]

## NOTES

<sup>1</sup>. This reprint is a compilation as at 29 November 1990 of the *Jetties Act Regulations 1940* and includes all amendments in the reprint published in the *Gazette* on 10 December 1974 and all amendments effected by the other regulations referred to in the following Table.

Table of Regulations

Regulation	Gazettal	Commencement	Miscellaneous
<i>Jetties Act Regulations 1940</i>	6 September 1940 pp. 1622-40	24 October 1940 (see direction preceding regu- lations in <i>Ga- zette</i> 6 Septem- ber 1940 p. 1622)	Regulation 10 disallowed 19 October 1940
(Regulations effecting amend- ments included in the previ- ous reprint are not referred to in this Table)			
<i>Amending regulations</i>	22 August 1975 pp. 3040-44	22 August 1975	
<i>Amending regulations</i>	20 February 1976 pp. 484-87	20 February 1976	
<i>Amending regulations</i>	17 September 1976 p. 3463	17 September 1976	
<i>Amending regulations</i>	13 January 1978 pp. 149-52	13 January 1978	
<i>Amending regulations</i>	31 March 1978 pp. 989-90	31 March 1978	
<i>Amending regulations</i>	1 December 1978 pp. 4537-41	1 December 1978	
<i>Amending regulations</i>	13 July 1979 pp. 1915-16	13 July 1979	
<i>Amending regulations</i>	2 November 1979 p. 3467	2 November 1979	
<i>Amending regulations</i>	20 June 1980 pp. 1834-35	1 July 1980 (see regulation 2)	
<i>Jetties Act Amendment Regula- tions 1980</i>	28 November 1980 p. 4050	28 November 1980	
<i>Jetties Act Amendment Regula- tions 1981</i>	6 February 1981 p. 555	6 February 1981	
<i>Jetties Act Amendment Regula- tions (No. 2) 1981</i>	26 June 1981 pp. 2410-11	1 July 1981 (see regulation 2)	
<i>Jetties Act Amendment Regula- tions (No. 3) 1981</i> (erratum 16 October 1981 p. 4337)	26 June 1981 p. 2413	1 July 1981 (see regulation 2)	
<i>Jetties Act Amendment Regula- tions (No. 4) 1981</i>	14 August 1981 p. 3340	14 August 1981	
<i>Jetties Act Amendment Regula- tions 1982</i>	9 July 1982 pp. 2509-11	9 July 1982	
<i>Jetties Act Amendment Regula- tions 1983</i>	5 August 1983 pp. 2834-37	5 August 1983	
<i>Jetties Act Amendment Regula- tions (No. 2) 1983</i>	23 September 1983 p. 3817	1 October 1983 (see regulation 2)	
<i>Jetties Act Amendment Regula- tions (No. 3) 1983</i>	25 November 1983 pp. 4669-70	25 November 1983	
<i>Jetties Act Amendment Regula- tions 1984</i>	6 July 1984 pp. 2028-29	6 July 1984	

Regulation	Gazettal	Commencement	Miscellaneous
<i>Jetties Act Amendment Regulations (No. 2) 1984</i>	7 September 1984 p. 2859	7 September 1984	
<i>Jetties Act Amendment Regulations 1985</i>	30 August 1985 pp. 3077-79	2 September 1985 (see regulation 3)	
<i>Jetties Amendment Regulations 1986</i>	8 August 1986 pp. 2828-30	8 August 1986	
<i>Jetties Amendment Regulations 1987</i>	16 October 1987 pp. 3893-95	16 October 1987	
<i>Jetties Amendment Regulations 1988</i>	14 October 1988 pp. 4164-66	14 October 1988	
<i>Jetties Amendment Regulations 1989</i>	19 May 1989 pp. 1493-96	19 May 1989	
<i>Jetties Amendment Regulations (No. 2) 1989</i>	30 June 1989 pp. 1917-20	1 July 1989.	
<i>Jetties Amendment Regulations 1990</i>	1 August 1990 pp. 3633-40	1 May 1989	

<sup>2</sup> Headings forming part of these regulations were repealed by the *Jetties Act Amendment Regulations 1989*. Regulations 3 and 10 of those regulations read as follows—

#### Headings deleted

“ 3. The principal regulations are amended by deleting the headings that—

- (a) precede regulations and groups of regulations; and
- (b) form part of the regulations. ”.

#### Saving

“ 10. The object of these regulations is to facilitate the reprinting of the principal regulations under the *Reprints Act 1984* and the principal regulations as in force immediately before the commencement of these regulations shall continue to have effect until the day as at which the principal regulations are first reprinted under that Act after that commencement. ”.

<sup>3</sup> *Jetties Act 1926* now administered by the Minister for Transport (see *Gazette* 12 October 1990 p. 5230) and title changed pursuant to section 7 (3) (h) of the *Reprints Act 1984*.

<sup>4</sup> Repealed by Act No. 38 of 1961.