



Western Australia

Jetties Act Regulations 1940

Reprinted as at 10 December 1999

Western Australia

Jetties Act Regulations 1940

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Notes



Western Australia

Reprinted under the
Reprints Act 1984 as
at 10 December 1999

Jetties Act 1926

Jetties Act Regulations 1940

1. Citation

These regulations may be cited as the *Jetties Act Regulations 1940* ¹.

[2. *Repealed in Gazette 6 January 1998 p.33.*]

3. Interpretation

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.

“Pleasure Vessel” has the meaning assigned to it in the *Western Australian Marine Act 1982*.

*[Regulation 3 amended in Gazette 17 March 1960 p.777;
7 May 1993 p.2361.]*

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

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

3A. Application

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.]

4. Master to report arrival

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

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

5. Vessels to change berths

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

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

Division 3 — Berthing dues

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

6. Berthing dues shall be paid

- (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 charged the like berthing dues in respect thereof, as if the said cargo had been landed on or taken off the jetties in place of being taken from or placed in such lighters or vessels as aforesaid.

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

7. Computation of berthing dues

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

one bullock, cow, steer, heifer or suchlike animal one tonne, 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.]

8. Inwards manifests

The master of every vessel arriving shall deliver at the office of the officer in charge, prior to commencing to discharge cargo, a true, legible, and complete copy of the manifest of the said vessel, certified to by himself as being true and complete, and shall also furnish within 48 hours a certified statement of all alterations (if any) which may be made in such manifest by reason of re-measurement of goods included therein or

otherwise. In the event of a vessel not discharging any cargo, a “Nil” manifest must be furnished.

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

9. Outwards manifests

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

[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.]

10. Decimal currency to be substituted

[Omitted under Reprints Act 1984 s.7(4)(e).]

10A. Payment of dues and charges

- (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.]

[10B. Repealed in Gazette 30 June 1995 p.2699.]

[10C. Repealed in Gazette 24 November 1972 p.4487.]

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11. Charges for transshipment cargo

- (1) Full wharfage dues one way only shall be payable on cargo for transshipment if landed on a jetty, but if passed overside from one vessel to another for conveyance to destination, or temporarily, the wharfage dues shall be those set out in Appendix I; 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 Gazette 12 July 1957 p.2270; 24 November 1972 p.4487; 15 June 1973 p.2237; 19 May 1989 p.1495; 29 June 1993 p.3191; 14 June 1994 p.2476; 30 June 1995 p.2699.]

[11A. Repealed in Gazette 24 November 1972 p.4487.]

11B. Charges on vessels' stores, including fuel oil

- (1) Material and equipment passing over jetties and to be used for the repair and refitting of a vessel, its machinery or equipment whilst it is in the port, and all consumable stores loaded into a vessel for the vessel's own use, excepting fuel oil on which an inwards wharfage rate has not been paid at the port, shall be exempt from the payment of 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 —
- (a) for those locations set out in Part 4 of Appendix III, the corresponding rates set out under those locations in that Appendix; or
 - (b) for the Ports of Broome and Wyndham, the rate set out in Appendix I,
- payable by the suppliers of the oil.
- (3) The supplier of fuel oil under subregulation (2) shall compile and forward to the Department, within 28 days of the end of

each calendar month, a record of the total volume of fuel oil dispensed from each facility by that supplier during that month.

[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 Gazette 24 November 1972 p.4487; 15 June 1973 p.2237; 19 May 1989 p.1495; 30 June 1992 p.2892; 29 June 1993 p.3192; 30 June 1995 p.2699.]

12. Charges to be paid before delivery of cargo

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

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

13. Extra charges

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

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

[13A. Repealed in Gazette 30 June 1995 p.2699.]

Division 5 — Handling of cargo

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

14. Cargo not to be placed on jetties or premises without authority

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

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

15. Discharging of cargo may be stopped

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.]

16. Goods not to be shifted without authority

No person shall shift from one vessel to another, or from any part of a jetty to any other part thereof, any goods or luggage without the authority of the officer in charge.

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

17. Bulk cargo not to be deposited without authority

No ballast, stone, coal, coke, timber, sand, or other goods or other materials in bulk shall be deposited on any jetty without special permission in writing of the officer in charge.

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

18. Outward cargo advice notes

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.]

19. Outward cargo

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 Gazette 19 July 1956 p.1781; 19 May 1989 p.1495.]

20. Dangerous cargo not to be shipped without permission

No person shall carry, send or deposit, or attempt to carry, send, or deposit, or permit to be sent, carried, or deposited on any jetty or premises of the Department, any loaded firearm or dangerous cargo which is by these regulations or any other jetty regulations now or hereafter to be in force, declared to be of a dangerous nature, or any package containing such goods, without the consent in writing of the officer in charge of such jetty, and without distinctly marking such package on the outside with a description of its contents sufficiently for its identification.

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

21. Dangerous cargo may be refused or examined

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

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

22. Marking of heavy packages

- (a) Every package or article of a gross weight of one tonne or over, intended for shipment as cargo, shall, before being delivered to and received by the Department for the purpose of being loaded on to a vessel, have prominently marked thereon, or on a label securely attached thereto, in legible and non-erasable characters not less than 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 Gazette 15 June 1973 p.2237;
19 May 1989 p.1495.]*

23. False statements

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

[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.]

24. Removal of cargo

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

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- (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.]*

25. Storage charges

- (1) Subject to these regulations, where goods have not been removed from a jetty, shed or yard within the time prescribed by these regulations the storage charges set out in Appendix I shall be payable to the officer in charge.
- (1a) For the purposes of calculating storage charges set out in Appendix I—
 - (a) a fraction of a tonne shall be deemed to be a tonne;
 - (b) a fraction of a cubic metre shall be deemed to be a cubic metre;
 - (c) a fraction of a kilolitre shall be deemed to be a kilolitre;
and
 - (d) 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 Gazette 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; 29 June 1993 p.3192; 14 June 1994 p.2476; 30 June 1995 p.2699; 27 June 1997 p.3152.]

[25A. Repealed in Gazette 24 November 1972 p.4487.]

26. Department not bound to find storage accommodation

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

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

27. Goods may be disposed of

The officer in charge shall (unless an agreement has been made by the consignee with him to the contrary) be at liberty to sell by public auction any goods which have been left on the premises of the Department for a period exceeding 6 months,

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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.]

28. Goods to be checked before delivery

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

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

29. Delay in delivery

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

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

30. Wrong delivery

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

[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.]

31. Custody of cargo

- (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.]

32. Goods without receipts

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.]

33. Goods stacked on jetties

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

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

34. Cargo damaged by fire, etc.

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

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

35. Goods insufficiently packed

Whenever in the opinion of the officer in charge goods are wholly unprotected, or insufficiently packed or protected, so as,

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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.]

36. Claims in respect of cargo

No claim will be entertained by the Department in respect of goods landed, or alleged to be landed, unless such claim has been received by the officer in charge, in writing within 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 Gazette 24 November 1972 p.4487; 19 May 1989 p.1495.]

Division 8 — Working hours

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

37. Ordinary time

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

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

38. Overtime

The cost over and above the ordinary cost of day work, of all labour and supervision, etc., employed during any hours, not

being working hours as above defined, or on holidays, shall be paid for by the vessel in addition to the usual charges. The extra cost of lighting a shed or berth to enable a vessel to work during any hours, not being working hours, or on holidays as aforesaid, shall also be paid by the vessel.

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

38A. Wages incurred through ships' delays to be paid for

Where by reason of delay which is caused by a vessel through the breakdown of the gear, or through the time occupied in the rigging of its gear, or through the fact that more than average time is taken in handling its cargo, the Department is involved in the payment of wages to persons engaged to handle its cargo, the master or owner of the vessel shall, on demand by the Department, pay to the Department the amount of those wages.

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

39. Master to give notice of desire to work

The master of a vessel desiring to work any hours, not being working hours as defined above, shall give to the officer in charge, 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.]

40. Livestock on jetties or premises

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

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

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

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

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

41A. Vehicles not to be parked on jetties

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

41B. Department not responsible for vehicles on jetties

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

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

42. Drivers of vehicles to obey instructions

Every driver of a car, cart, dray, or other vehicle shall, while in or upon any jetty or premises of the Department, obey the reasonable instructions and directions of any authorized employee of the Department.

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

43. Persons not to be on jetties when livestock is being handled

No person shall remain on or pass over any jetty while livestock is being landed or shipped, unless by the permission of the officer in charge.

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

Division 10 — Miscellaneous

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

44. Bill posting, defacement and obscenity

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.]

45. Disorderly persons

- (a) No drunk, idle, or disorderly person shall enter or remain in or upon any jetty, shed, vehicle, or premises of the Department.

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- (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.]

46. Fires not to be lit

No person shall, under any pretext whatever, light, place, or keep a fire upon or so near as to endanger any jetty, shed, car, carriage, or other work of a like nature, nor in or upon any tramway or premises whatsoever of the Department constructed entirely or in part of wood.

[Regulation 46 amended in Gazette 19 May 1989 p.1495.]

47. Gates to be shut

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

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

48. Interference with lights

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

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

49. Interference with or damaging property

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

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

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

50. Lost property

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

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

51. Obstruction of officers, or premises

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.]

52. Obstruction of or damage to jetties or premises

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

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

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

53. Rubbish, etc., not to be thrown

No person shall throw or cause to be thrown at or from any car, carriage, or other vehicle of the Department, or on to any jetty, or premises vested in, used by, or under the control of the Department, any glass, stone, or other missile, or any filth, dirt, rubbish, or other matter of a similar nature.

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

54. Sale of articles prohibited

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.]

55. Smoking and loitering

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

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

56. Trespassing

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

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

[57-67. Repealed in Gazette 24 November 1972 p.4487.]

67A. Conditions for construction and installation of pipelines

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.

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- (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 Gazette 28 September 1960 p.2987; 16 September 1963 p.2829; 15 June 1973 p.2237; (erratum 13 December 1974 p.5344).]

67B. Maintenance and operation of pipelines

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

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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% 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% 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

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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

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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. Repealed in Gazette 14 April 1966 p.918.]

67D. Penalty for failure to remove or amend pipeline

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

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

67E. Application

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.]

68. Control of jetties

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.]

69. Use of jetties

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

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

70. Jetties may be closed

- (a) The Department may at any time temporarily or permanently close any public jetty, because of inclemency of weather, or for

any other reason whatsoever, by posting a notice on same to that effect, or by otherwise publicly declaring such public jetty to be closed.

- (b) The Minister for Transport 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.]

70A. Rottnest Island berthing fee

The owner of any vessel shall pay the relevant berthing fee set out in Appendix IA when berthing that vessel at the Main Ferry Jetty at Rottnest Island.

[Regulation 70A inserted in Gazette 30 June 1992 p.2892.]

70B. Use of East Street Jetty, Fremantle

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 or passengers 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 set out in Appendix IA.

[Regulation 70B inserted in Gazette 30 June 1992 p.2893; amended in Gazette 29 June 1993 p.3192; 30 June 1995 p.2699.]

Division 3 — Mooring and berthing of vessels

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

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

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

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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.]

72. Duration of, and charges for, permits

- (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 quarterly 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 Gazette 30 August 1985 p.3077; 16 October 1987 p.3893; 29 June 1989 pp.1917-18; 1 August 1990 p.3633; 30 June 1992 p.2893.]

73. Permit for exclusive use of a berth

- (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.]*

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74. Manner of mooring vessels

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

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

75. Vessels not to remain at jetties longer than necessary

No vessel shall be fastened to or remain alongside any public jetty longer than is necessary, and shall immediately be removed therefrom, on the master or person in charge of such vessel receiving orders to that effect from an officer of the Department.

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

76. Mooring of rafts and boathouses

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 Gazette 15 June 1973 p.2238; 19 May 1989 p.1495.]

77. Vessels to be in charge of a competent person

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

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

78. Approaching jetties after sunset

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

[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.]

[79. Repealed in Gazette 30 June 1992 p.2893.]

80. Vessels loading or discharging

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

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

81. Cargo to be removed

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

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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.]

82. Cargo not to remain on jetties overnight

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.]

83. Explosives not to be handled without permission

No explosives, as defined by section 4 of the *Explosives Act 1895*², 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.]

84. Manner of handling cargo

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.]

85. Power vessels approaching jetties

- (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.]

86. Bathing from jetties

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.]

87. Damage to jetties

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,

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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.]

88. Fishing from certain places prohibited

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.]

89. Fishing nets on jetties

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.]

90. Gangways to be provided

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.]

91. Interference with jetties or approaches

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 or his representative.

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

92. Lifebuoys on jetties

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.]

93. Obstruction of jetties or officers

- (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 or his representative.
- (b) No person or persons shall obstruct any representative of the Minister for Transport in carrying out the construction of, or repairs or additions to, any public jetty.

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

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

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

[Heading inserted in Gazette 1 August 1990 pp.3633-4.]

94A. Fees for pen rentals and services

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

[(2) and (3) repealed]

[Regulation 94A inserted in Gazette 1 August 1990 p.3633; amended in Gazette 25 June 1996 p.2981.]

94B. Fees for pile mooring

- (1) The 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) repealed]

[Regulation 94B inserted in Gazette 1 August 1990 pp.3633-4; amended in Gazette 25 June 1996 p.2981.]

94C. Fees for berthing or mooring on a casual basis

Where no other fee is prescribed for berthing or mooring at a wharf or public jetty, the fee set out in Part 3 of Appendix III is payable for berthing or mooring on a casual basis at a wharf or public jetty, other than those within the Port of Perth.

[Regulation 94C inserted in Gazette 30 June 1992 p.2893.]

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.]

95. Management and control of slipways at various ports

- (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 officer in charge at Albany, Carnarvon and Esperance shall have the management and control of the slipways at Albany, Carnarvon and Esperance respectively.
- (3) The officer in charge 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 Gazette 23 September 1983 p.3817; 6 July 1984 p.2028; 30 June 1995 p.2699.]

95A. Application for use of slipway

- (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 Gazette 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; 30 June 1995 p.2699.]

96. Charges for use of slipway

- (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 Gazette 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.]

97. Government vessels may take precedence

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.]

98. Vessels may forfeit their turn

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

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

99. Department will not undertake repairs, etc.

The Department will not undertake the repairs of vessels; all parties availing themselves of the use of the slip will be required to make their own arrangements for these and provide all necessary material.

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

100. Department not responsible for damage to vessel when in use of slip

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.]

101. Duties of owner or master using slipway

- (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.]

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Part 3 Special provisions applying at particular ports

Division 1 Use of slipways

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101A. Slipping of more than one vessel at a time

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

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

101B. Dispute procedure

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. Repealed in Gazette 24 November 1972 p.4488.]

Division 2 — Use of mooring springs

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

[105A-105E. Repealed in Gazette 30 June 1995 p.2700.]

105F. Approaching bollard or jetty to which mooring spring or rope fastened

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.]

[105G, 105H, 105HA, 105HB. Repealed in Gazette 30 June 1995 p.2700.]

*[Division 3 (regulation 105HC) repealed in Gazette
30 June 1995 p.2700.]*

Division 4 — Use of weighbridges at Wyndham or Broome

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

105I. Weighbridge fees

- (1) A person making use of the 50 tonne weighbridges at Wyndham or Broome, shall pay the fee set out in Appendix I.
- (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 Gazette 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; 26 July 1991
p.3920; 30 June 1992 p.2893; 29 June 1993 p.3192;
30 June 1995 p.2700.]*

*[Division 5 (regulation 105J) repealed in Gazette 30 June 1992
p.2893.]*

Part 4 — Breach of regulations and penalties

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

106. Powers of officer of Department

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.]

107. Recovery of expenses incurred by breaches of regulations

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 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.]

107A. Police have authority to enforce regulations

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.]

108. Penalty for offences

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 Gazette 17 September 1976 p.3463; 19 May 1989 p.1496.]

Appendix I

Appendix I

Note: Fees charged per tonne, per cubic metre or per kilolitre are charged per unit or part thereof (see regulation 25(1a)).

Part 1 — Berthing dues

Berthing dues —Broome

[Reg. 6]

	Rate	Minimum per day
Vessels over 300 gross registered tonnes:	\$0.55 per tonne, per cubic metre or per kilolitre at option of officer in charge, on all cargo landed or shipped	\$83.45
Vessels under 300 gross registered tonnes:	\$0.55 per tonne, per cubic metre or per kilolitre at option of officer in charge, on all cargo landed or shipped	\$55.60
Passenger vessels or other vessels using berth for purposes other than cargo handling:	\$0.12 per gross registered tonne	\$55.60
Containers — Empty:	\$4.30 per container	
Loaded:	\$13.90 per container	

Berthing dues —Wyndham

[Reg. 6]

	Rate	Minimum per day
Vessels over 300 gross registered tonnes:	\$0.55 per tonne, per cubic metre or per kilolitre at option of officer in charge, on all cargo landed or shipped	\$83.95
Vessels under 300 gross registered tonnes:	\$0.55 per tonne, per cubic metre or per kilolitre at option of officer in charge, on all cargo landed or shipped	\$55.95
Passenger vessels or other vessels using berth for purposes other than cargo handling:	\$0.12 per gross registered tonne	\$55.95
Containers — Empty:	\$4.35 per container	
Loaded:	\$14.00 per container	

Commercial Vessels engaged in the Pearling, Fishing or Charter Boat industries:

Annual Fee:	\$90.00 per metre x length of vessel
6 Monthly Fee:	60% of annual fee
3 Monthly Fee:	40% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$50 per day (at the discretion of the Officer in charge)

Private Vessels:

Annual Fee:	\$90.00 per metre x length of vessel
6 Monthly Fee:	60% of annual fee
3 Monthly Fee:	40% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$10 per day (at the discretion of the Officer in charge)

Part 2 — Wharfage dues and handling and haulage charges
Broome

[Reg. 10A]

Cargo in containers (T E U containers) —		
Empty returns:	each	\$29.00
Loaded containers —		
General:	each	\$99.00
Products of the soil:	each	\$37.00
Fertilisers:	each	\$59.00
Explosives:	each	\$73.00
Empty returns (other than T E U Containers):	per tonne or m ³	\$1.45
Explosives:	per tonne or m ³	\$2.50
Fertiliser:	per tonne or m ³	\$2.05
Bullocks, cows, etc.:	each	\$1.45
Pigs, sheep, goats and dogs:	each	\$0.30
Meat — chilled or frozen:	per tonne or m ³	\$2.40
Bulk Products —		
By pipeline:	per kilolitre	\$6.20
By pipeline involving use of road tanker on jetty:	per kilolitre	\$6.45

Appendix I

Bulk ore:	per tonne	\$2.00
Products of the soil of the State, except otherwise stated (exported):	per tonne or m ³	\$1.35
Vehicles —		
Commercial vehicles on own wheels:	per tonne or m ³	\$2.40
Motor cars and utilities on own wheels:	per tonne or m ³	\$2.30
Other cargo —		
General cargo:	per tonne or m ³	\$3.95
Recreational vessels:	per metre	\$9.05

- Notes:
1. The empty rate relates only to containers used in connection with the carriage of cargo through the port.
 2. Charges for haulage and handling shall be in accordance with the IPLF charge-out rates.
 3. Where the Department has to unstuff or unpack a container, the fee is based on equipment and IPLF labour rates for the time involved.
 4. Charges for any unspecified services are dependent on the type of service.
 5. Under regulation 13, the Port Manager 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.
 6. Under regulation 35, the Port Manager may make an extra charge if insufficiently packed goods involve additional labour or risk.

Wyndham

[Reg. 10A]

Cargo in containers (T E U containers) —		
Empty returns:	each	\$34.20
Loaded containers — General:	each	\$117.70
Products of the soil:	each	\$37.25
Fertilisers:	each	\$59.35
Explosives:	each	\$73.45
Empty returns (other than T E U Containers):	per tonne or m ³	\$1.46
Explosives:	per tonne or m ³	\$2.52
Fertiliser:	per tonne or m ³	\$2.06
Bullocks, cows, etc.:	each	\$1.46
Pigs, sheep, goats and dogs:	each	\$0.30
Meat — chilled or frozen:	per tonne or m ³	\$2.41
Bulk Products —		
By pipeline:	per kilolitre	\$6.24

Appendix I

By pipeline involving use of road tanker on jetty:	per kilolitre	\$6.49
Bulk ore:	per tonne	\$2.01
Products of the soil of the State, except otherwise stated (exported):	per tonne or m ³	\$1.36
Vehicles —		
Commercial vehicles on own wheels:	per tonne or m ³	\$2.41
Motor cars and utilities on own wheels:	per tonne or m ³	\$2.31
Other cargo —		
General cargo:	per tonne or m ³	\$3.97
Recreational vessels:	per metre	\$9.10

- Notes:
1. The empty rate relates only to containers used in connection with the carriage of cargo through the port.
 2. Charges for haulage and handling shall be in accordance with the IPLF charge-out rates.
 3. Where the Department has to unstuff or unpack a container, the fee is based on equipment and IPLF labour rates for the time involved.
 4. Charges for any unspecified services are dependent on the type of service.
 5. Under regulation 13, the Port Manager 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.
 6. Under regulation 35, the Port Manager may make an extra charge if insufficiently packed goods involve additional labour or risk.

Bremer Bay

General Cargo Wharfage	
Products Wharfage charge applicable to Service Jetty:	\$20.00 per tonne of fishing product loaded or unloaded

Note: If this charge is paid due to the loading or unloading of fishing product, then no casual berthing fee is payable (see Appendix III, Part 1). This charge is payable in addition to mooring fees.

Exmouth

General Cargo Wharfage	
At the Service Wharf:	- \$4.00 per tonne or cubic metre, or - \$9.00 per metre x length of vessel lifted
Over beach or ramp operation:	- \$3.00 per tonne or cubic metre

Appendix I

**Part 3 — Transhipment charges
Broome and Wyndham**

[Reg. 11]

For Cargo —	
loaded over the side onto another vessel:	50% of the appropriate wharfage dues.
landed onto a jetty:	Full wharfage dues.

**Part 4 — Fuel oil charges
Broome**

[Reg. 11B]

Oil loaded as bunkers for the vessel's own use:	\$6.20 per kilolitre
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Wyndham

[Reg. 11B]

Oil loaded as bunkers for the vessel's own use:	\$6.24 per kilolitre
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**Part 5 — Storage charges
Broome**

[Reg. 25]

Transit cargo not removed from the goods shed within 3 days of the cargo being received	\$0.40 per tonne per day
Transhipment cargo — for first 2 weeks:	\$0.40 per tonne or per cubic metre per week
after 2 weeks:	Transit cargo rates apply

Wyndham

[Reg. 25]

Transit cargo not removed from the goods shed within 3 days of the cargo being received	\$0.40 per tonne per day
Transhipment cargo — for first 2 weeks:	\$0.40 per tonne or per cubic metre per week
after 2 weeks:	Transit cargo rates apply
Storage at Container Park, Wyndham	\$21.80 per loaded container

Part 6 — Weighbridge fees

Broome

[Reg. 105I]

For use of the 50 tonne weighbridge during normal hours-

Not exceeding 10 tonnes:	\$7.75
Exceeding 10 tonnes but not exceeding 30 tonnes:	\$8.85
Exceeding 30 tonnes:	\$11.00

Outside normal hours, operator's wages are added to the above fees (see regulation 105I(2)).

Wyndham

[Reg. 105I]

For use of the 50 tonne weighbridge during normal hours-

Not exceeding 10 tonnes:	\$7.80
Exceeding 10 tonnes but not exceeding 30 tonnes:	\$8.90
Exceeding 30 tonnes:	\$11.10

Outside normal hours, operator's wages are added to the above fees (see regulation 105I(2)).

Part 7 — Miscellaneous charges

Broome

[Section 4(9)]

Fresh water supplied to ships:	\$1.60 per kilolitre
Lighting of Jetty —	\$6.30 per hour

Wyndham

[Section 4(9)]

Fresh water supplied to ships:	\$1.61 per kilolitre
Lighting of Jetty —	
full lighting of jetty shed and yard:	\$18.86 per hour
use of jetty lighting:	\$6.04 per hour
reduced lighting:	\$2.01 per hour

Appendix I

Part 8 — Slipway Charges

[Reg. 96]

- Notes:
1. All slipway charges are charged per day or part thereof.
 2. The slipway charges set out below are subject to regulations 37 and 38, which specify the working hours of a Port and overtime components.

1. Water and Electric power charges

General charges

All ports, or where no specific charge applies

Use of water:	\$2.70
Use of power:	\$4.65 or, if metering indicates that electric power usage is occurring in excess of \$4.65 per day, at cost

2. Exmouth

Boat Ramp Fee:	
Recreational Vessels:	No charge
Commercial Vessels:	
Annual fee	\$500.00
Monthly fee	\$100.00

3. Johns Creek Boat Harbour (Point Samson)

Slippage Fees —	
Vessels for which annual pen fees paid —	
Vessels not exceeding 15 metres:	\$100.00
Vessels over 15 metres:	\$142.00
Vessels for which annual pen fees not paid —	
Vessels not exceeding 15 metres:	\$120.00
Vessels over 15 metres:	\$175.00
Haulage charge — all vessels:	\$168.00

4. **Princess Royal Harbour (Albany)**

Slippage Fees —	
Vessels not exceeding 100 Gross Registered Tons —	
Vessels not exceeding 15 metres:	\$101.00
Vessels over 15 but not exceeding 20 metres:	\$163.00
Vessels over 20 but not exceeding 25 metres:	\$203.00
Vessels over 25 metres:	\$304.00
Vessels over 100 but not exceeding 200 Gross Registered Tons:	\$988.00
Vessels over 200 Gross Registered Tons:	\$1955.00
Operator's Time — At cost with a minimum for each service:	\$225.00

5. **Shark Bay Boat Harbour (Denham)**

Slippage Fees —	
Vessels not exceeding 12 metres:	\$60.00 (per day or part thereof)
Vessels over 12 metres:	\$70.00 (per day or part thereof)
Haulage charge — all vessels:	\$100.00 (per vessel)
Haulage Ramp Fee (where vessel is hauled onto the slipway ramp "short term" for a Transport Marine Safety Inspection) per vessel	\$60.00
Haulage Ramp Fee (where owner removes vessel without use of Transport services) per vessel	\$20.00
Use of water:	\$2.00 (per day or part thereof)
Use of power:	\$5.00 (per day or part thereof)

6. **Wyndham Port**

Slippage Fees —	
Vessels not exceeding 15 metres:	\$83.95
Vessels over 15 metres:	\$122.30
Haulage charge — all vessels	\$102.60

[Appendix I inserted in Gazette 27 June 1997 pp.3152-7; amended in Gazette 12 May 1998 pp.2775-81; 22 June 1999 pp.2679-80.]

Appendix IA

[Reg. 72]

1. Berthing Fees — Port of Perth

Annual — (other than Hillarys & Challenger Boat Harbour)

The annual fee to be paid is $A \times B \times 1.42$ where —

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

B = the square root of C/A ; and

C is the amount specified in the Table opposite the length of the vessel.

Length of vessel	Amount
	\$
7m — 7.99m	1 848
8m — 8.99m	1 964
9m — 9.99m	2 022
10m — 10.99m	2 267
11m — 11.99m	2 584
12m — 12.99m	2 945
13m — 13.99m	3 377
14m — 14.99m	3 870
15m — 15.99m	4 418
16m — 16.99m	5 038
17m — 17.99m	5 704
18m — 18.99m	6 440
19m — 19.99m	7 247
20m — 20.99m	8 101
21m — 21.99m	9 025
22m — 22.99m	10 005
23m — 23.99m	11 046
24m — 24.99m	12 156
25m and over	523 per metre

2. Berthing fees — Main Ferry Jetty Rottnest Island

[Reg. 70A]

Fees for berthing at the Main Ferry Jetty at Rottnest Island are as follows —

- Annual Rate:** Vessel occupying a berth overnight to be in accordance with formulae prescribed above.
Vessel occupying a berth for a portion of the day to be 50% of the above fee.
- Quarterly Rate:** 30% of the annual rate.
- Monthly Rate:** 12% of the annual rate.
- Daily Rate:** 1% of the annual rate.

2A. Berthing fees — Passenger and heavy-lift jetties, Fremantle

[Reg. 70B]

Charge for loading and unloading of cargo and passengers — \$52.00
Berthing fee: as for Casual Berthing Fees — Port of Perth (item 3).

3. Casual Berthage — Port of Perth

[Reg. 73]

(including East Street Jetty, Fremantle)
(other than Hillarys & Challenger Boat Harbour)

- Monthly Rate:** 12% of the annual rate.
- Daily Rate:** 1% of the annual rate.

4. Pen fees — Port of Perth

(a) **Hillarys Boat Harbour**

Annual Fee:	\$1750 plus \$250.00 per metre x length of vessel in excess of 7 metres
6 Monthly Fee:	60% of annual fee
3 Monthly Fee:	40% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$35 per day (all vessels)
'Live on Board' Fee:	\$35 per month per vessel

Notes: 1. A discount of 2.5% applies for annual fees if permit renewed and fee paid before due date.

Appendix IA

2. Fishing vessels that have paid the annual fees at a Departmental Harbour will be charged 66% of the annual fee.
3. Payment of pen fees entitles the hirer to free use of the service jetty located within the harbour for the purpose of loading and unloading the vessel.
4. A discount of 8.3 % applies for fixed (ie. non-floating) pens.

(b) **Challenger Boat Harbour (Fremantle)**

(including Mediterranean moorings)

Annual Fee:	\$250.00 per metre x length of vessel
6 Monthly Fee:	60% of annual fee
3 Monthly Fee:	40% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$25 per day (all vessels)
'Live on Board' Fee:	\$25 per month per vessel

[Appendix IA inserted in Gazette 30 June 1992 pp.2896-7; amended in Gazette 29 June 1993 pp.3194-5; 14 June 1994 pp.2478-9; 30 June 1995 pp.2703-4; 25 June 1996 pp.2985-6; 27 June 1997 pp.3157-8; 12 May 1998 pp.2781-2; 22 June 1999 p.2681.]

Appendix II

[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 overall 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

Appendix II

THE TREASURY CASHIER,

The above vessel occupied the slip from a.m./p.m.
on to a.m./p.m. on
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

Part 1 — Pen and Berthage Fees

(Other than Port of Perth)

[Reg. 94A]

Note: All Daily Casual Fees are charged per day or part thereof.

1. Augusta

Shared use of jetty —

Annual Fee:	\$350 per annum per vessel
Daily Casual Fee:	\$3.00 per metre x length of vessel

2. Bandy Creek Boat Harbour (Esperance)

Annual Fee: (Serviced pens — paid annually):	\$176.00 per metre x length of vessel
(Partially serviced pens — paid annually): Recreational vessel	\$123.00 per metre x length of vessel
Commercial vessel	\$141.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee: Recreational vessel	\$3.00 per metre x length of vessel
Commercial vessel	\$5.00 per metre x length of vessel
Electric Power Charge Single phase	At cost
Three phase	\$20.00 per day (or part thereof)
Note: Where metering indicates a greater power consumption per day the charge will be at cost	
'Live on Board' Fee:	\$30.00 per vessel per month

3. Batavia Coast Boat Harbour

Annual Fee: (paid annually):	\$116.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$3.00 per metre x length of vessel
'Live on Board' Fee:	\$25.00 per vessel per month

Appendix III

4. Beadon Creek Boat Harbour (Onslow)

Berthage/Use of Service Jetty Daily Casual Fee (per day or part thereof):	\$3.00 per metre x length of vessel
Transient Vessel Casual Berthage Fee (for short term use, e.g. 1 to 2 hours)	1.25 per metre x length of vessel
Fee for use of Service Jetty Hardstanding Area for storage or maintenance —	
For the first 30 days:	\$5.00 per day or part thereof
After 30 days:	\$20.00 per day or part thereof
Three phase electric power charges — (all vessels):	At cost
Service charges — water and electric power (single phase) when berthed at private jetties and drawing water or single phase power from service jetty outlets:	\$5.00 per day or part thereof but, if any large drawing of water occurs and the value of the water exceeds \$5.00, the water to be charged at cost
water and electric power (single phase) when using the service jetty hardstand for storage or maintenance:	Charge forms a part of berthage fee

Note: No fee is payable for vessels seeking and being granted accommodation on the hardstand purely during the course of a cyclone event.

5. Bremer Bay

Berthage Fee (per day or part thereof) To be paid by users of service jetty:	\$5.00 per metre x length of vessel
Electric Power Charge Three phase Single phase	All users \$20.00 per day \$5.00 per day (<i>except vessels paying product wharfage or daily berthing fee</i>)
Water Charge	\$5.00 per day (<i>except vessels paying product wharfage or daily berthing fee</i>)
Note: Where metering indicates a greater power or water consumption per day the charge will be at cost	

Note: The Berthage Fee is only payable by the users of the service jetty who are not paying wharfage on loaded or unloaded fishing products (see Appendix I, Part 2).

6. **Carnarvon Boat Harbour**

Standard Fee —

Annual Fee:	
(paid annually):	\$160.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee:	\$3.00 per metre x length of vessel
'Live on Board' Fee:	\$25.00 per vessel per month

Shared use of Snapper Jetty/low level landing and attached partly serviced mooring pens —

Annual Fee:	
(paid annually):	\$146.00 per metre x length of vessel
(paid monthly):	10% of annual fee
4-Monthly Seasonal Fee:	48% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee:	\$3.00 per metre x length of vessel
Electric Power Charge – Three Phase	\$20.00 per day or part thereof
'Live on Board' Fee:	\$25.00 per vessel per month

7. **Casuarina Boat Harbour (Bunbury)**

General:

Annual Fee:	
(paid annually):	\$126.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$3.00 per metre x length of vessel (per day or part thereof)

Extended Berthage at Service Jetty:

Annual Fee:	
(paid annually):	\$126.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	15% of annual fee

'Live on Board' Fee:	\$30.00 per month per vessel
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Appendix III

8. Emu Point Boat Harbour (Albany)

Annual Fee: (paid annually):	
Recreational vessel	\$118.00 per metre x length of vessel
Commercial vessel	\$148.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee:	\$4.50 per metre x length of vessel

Short Period Vessels Fee (for use of service jetty by vessels for which mooring, berthage or pen fees not paid) per day – short term use —

Annual Fee	\$120 per metre x length of vessel
Daily Casual Fee	\$2.50 per metre x length of vessel

9. Exmouth

Chartered Boat Pens:

Annual Fee: (paid annually):	\$288.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee: (September to May) – per month:	20% of annual fee
Monthly Fee: (June to August) – per month:	30% of annual fee
Daily Casual Fee – per day:	\$5.00 per metre x length of vessel plus a service fee of \$2.50 per person
Transient Recreational Daily Casual Fee (If General purpose Pen is unavailable) – per day:	\$3.00 per metre x length of vessel plus a service fee of \$2.50 per person

Charter Boat Passenger Transfer Pen:

Vessel with Harbour Pen:	No Charge
Vessel with Harbour Mooring	\$4.00 per metre x length of vessel
Vessel without Mooring or Pen, and not paying a Shared Use fee:	\$5.00 per metre x length of vessel

General Purpose Pens:

Annual Fee: (paid annually):	\$250.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee – per month:	20% of annual fee
Weekly Casual Fee – per week:	\$18.00 per metre x length of vessel
Daily Casual Fee – per day:	\$3.00 per metre x length of vessel plus a service fee of \$2.50 per person

Trawler Pens (Unserviced and without catwalks):

Annual Fee: (paid annually):	\$201.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee – per month:	20% of annual fee
Daily Casual Fee – per day:	\$4.00 per metre x length of vessel

Shared Use of Berthing & Mooring Pens (for those vessels not allocated a permanent mooring pen - and subject to availability):

Charter Boat Pens:	\$288.00 per metre x length of vessel
General Purpose Pens:	\$250.00 per metre x length of vessel
Trawler Pens:	\$201.00 per metre x length of vessel

Note: Pen fees apply per vessel (even if the pen is used by more than one vessel), other than where the long-term lease has been granted.

‘Live on Board’ Fee –

Six consecutive days or more than 10 days per month:	\$25.00 per month per vessel
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Use of Service Jetty:

Daily Casual Fee: - Vessels with Harbour Pen/Mooring/Shared Use Facility: - Other Vessels:	\$2.50 per metre x length of vessel \$5.00 per metre x length of vessel
Annual Fee: - Vessels with Harbour Pen/Mooring/Shared Use Facility: - Other Vessels:	\$2.50 per metre x length of vessel x 48 \$5.00 per metre x length of vessel x 48

Note: No Berthage Fee applies for fuelling purposes or short duration for transfer (if vessel has harbour pen or mooring). First priority use for the Fuel Berth is for fuelling. First priority use for other 3 berths is unloading/loading operations.

Appendix III

Cyclone Moorings (Using Seabed Piles and Wharf or Pen piles):

Vessels that have paid Annual/Monthly Berthage or Harbour Pen fees:	No charge
Other Vessels (in addition to prescribed Harbour Fees and Charges):	\$10.00 per metre x length of vessel

Service Wharf Hardstand Area:

Storage, etc. :	\$1.00 per square metre per day, with a minimum fee of \$20.00
Charge for Removal of any Waste Oil Drums (not removed by the owner)	\$5.00 per 20 ltr drum

Use of Harbour Beach Area for Vessel Inspections by vessels not penned in the harbour	\$25.00 per day or part thereof
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Water charge:

General purpose, Service Wharf & Hardstand – large quantities –Chartered Pens (metered)	At cost, but with a minimum fee of \$3.00 per day At cost
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Electrical power charges (Pens, etc.):

Charter Pens – single/three phase (metered):	at cost
General Purpose – single phase (not metered):	No charge
Service Wharf and Hardstand – single phase (except vessels paying Pen or Berthage fees):	\$5.00 per day or part thereof
three phase (vessels, trucks, etc.):	\$20.00 per day or part thereof

10. Fremantle Fishing Boat Harbour

Annual Fee —	
Vessels up to 19.99 metres:	\$129.00 per metre x length of vessel
Vessels 20 metres and over:	\$171.00 per metre x length of vessel
Private pleasure vessels:	\$200.00 per metre x length of vessel
Six-monthly payment of annual fee:	60% of annual fee
Monthly Fee:	13% of annual fee
Daily Casual Fee:	\$2.00 per metre x length of vessel

11. **Johns Creek Boat Harbour (Point Samson)**

General:

Annual Fee:	
(paid annually):	\$150.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee:	\$3.00 per metre x length of vessel
Electric Power Charge	
Three phase:	\$20.00 per day
Note: Where metering indicates a greater power consumption per day the charge will be at cost	

Extended Berthage (shared use of service jetty):

Annual Fee:	
(paid annually):	\$150.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee

Use of Hardstand area for Storage or Maintenance of vessels:

Daily Casual Fee:	\$1.50 per metre x length of vessel
Electrical Power Charge:	
Three phase	\$20.00 per day
Single phase	\$4.65 per day
Water Charge	\$2.70 per day
Note: Where metering indicates a greater power or water consumption per day the charge will be at cost	

12. **Jurien Boat Harbour**

Annual Fee:	
(paid annually):	\$158.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee:	\$3.00 per metre x length of vessel
Transient Vessels Fee (for use of service jetty by vessels for which mooring, Berthage or Pen fees not paid) per day:	\$1.50 per metre x length of vessel

13. **Kalbarri Boat Harbour**

Annual Fee:	
(paid annually):	\$172.00 per metre x length of vessel
(paid monthly):	10% of annual fee

Appendix III

Monthly Fee:	20% of annual fee
Daily Casual Fee:	\$40.00 plus \$3.50 per metre x length of vessel in excess of 11.5 metres
Electric Power Charge: Three phase Single phase	\$20.00 per day \$5.00 per day (other than vessels paying Pen, Berthage or Mooring fees)
Note: Where metering indicates a greater power consumption per day the charge will be at cost	

14. Lancelin

Daily Casual Fee — (Berthage/Use of Service Jetty, for extended/overnight stay):	\$5.00 per metre x length of vessel
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Note: Vessels undertaking emergency repairs for which special prior Departmental approval has been sought, and obtained, to berth at the jetty for the period in question, are to be exempt from this fee.

15. Leeman

Daily Casual Fee:	\$45.00 plus \$3.00 per metre x length of vessel in excess of 15 metres (<i>minimum of \$45.00 per vessel for overnight stay</i>)
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16. Mandurah Boat Harbour

Annual Fee: (paid annually):	\$120.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	15% of annual fee
Daily Casual Fee:	\$2.50 per metre x length of vessel
Water and Sullage Fees —	
Annual Use Fee:	\$200.00 per vessel
Single Use Fee:	\$20.00 per vessel
Water Fees (If water and sullage fee not paid)	
Annual Use Fee:	\$30.00 per vessel
Single Use Fee:	\$10.00 per vessel

17. **Port Denison**

Daily Casual Fee:	\$3.00 per metre x length of vessel
Extended Stay Fee (for extended or overnight stays at the service jetty between 1 November to 30 June each year): [Not payable if casual fee is paid or prior Departmental approval is obtained]	\$40.00 per day

18. **Port Gregory**

Daily Casual Fee:	\$3.00 per metre x length of vessel, but with an overnight minimum of \$40.00
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19. **Shark Bay Boat Harbour (Denham)**

Annual Fee: (paid annually):	\$175.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Annual Service Jetty Fee (for use of service jetty for loading, unloading and fuelling)	\$50.00 per metre x length of vessel
Daily Casual Fee:	\$4.50 per metre x length of vessel
Annual Extended Berthage Fee (for shared use of recreational jetty for extended berthage)	\$95.00 per metre x length of vessel
Fee for use of Service Jetty Hardstand for Vessel Storage & Maintenance — Daily casual fee for the first 14 days:	\$30.00 per day or part thereof per vessel
Daily casual fee after 14 days:	\$50.00 per day or part thereof per vessel
Electric Power Charge: Three phase	\$20.00 per day (all users)
Single phase	\$5.00 per day
Water Charge	\$3.00 per day
Note: Where metering indicates a greater power or water consumption per day, the charge will be at cost	

Part 2 — Pile Mooring Fees

[Reg. 94B]

Note: Payment of pile mooring fees entitles hirer to free use of service jetty in the harbour in which the mooring is located, subject to the availability of berth space and the direction of authorized officers.

1. Beadon Creek Boat Harbour (Onslow)

Annual Fee:	
(paid annually):	\$100.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Casual Fee:	1% of annual fee

2. All other harbours and ports

Annual Fee:	
(paid annually):	\$89.00 per metre x length of vessel
(paid monthly):	10% of annual fee
Monthly Fee:	20% of annual fee
Daily Fee:	1% of annual fee

Part 3 — Casual berthing fees

[Reg. 94C]

This fee applies to any Departmental Jetty, other than one located in the Port of Perth, for which no other fee has been prescribed —

Daily Casual Fee:	\$3.00 per metre x length of vessel
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Part 4 — Service jetties — Fuel wharfage fees

Rate per litre of fuel oil used

Augusta	\$0.02
Beadon Creek (Onslow)	\$0.035
Bremer Bay	\$0.02
Carnarvon	\$0.03
Emu Point (Albany)	\$0.035
Exmouth	\$0.02
Fremantle Fishing Boat Harbour	\$0.005
Greenhead	\$0.035
Hopetoun	\$0.035
Johns Creek (Point Samson)	\$0.02

Appendix III

Jurien	\$0.03
Kalbarri	\$0.035
Lancelin	\$0.025
Leeman	\$0.03
Mandurah	\$0.01
Port Gregory	\$0.03
Shark Bay (Denham)	\$0.02

[Appendix III inserted in Gazette 22 June 1999 pp.2681-9.]



Notes

- ^{1.} This reprint is a compilation as at 10 December 1999 of the *Jetties Act Regulations 1940* and includes the amendments included in the reprint of 29 November 1990 and the amendments effected by the regulations referred to in the following Table.

Table of Regulations

Citation	Gazettal	Commencement	Miscellaneous
<i>Jetties Act Regulations 1940</i>	6 September 1940 pp.1622-40	6 September 1940 (see direction preceding regulations in <i>Gazette</i> 6 September 1940 p.1622)	Regulation 10 disallowed 19 October 1940
(Regulations affecting amendments included in the previous reprint are not referred to in this Table.)	13 December 1990 pp.6069-116		Previous reprint as at 29 November 1990
<i>Jetties Amendment Regulations 1991</i>	26 July 1991 pp.3920-24	1 August 1991 (see regulation 2)	
<i>Jetties Amendment Regulations 1992</i>	30 June 1992 pp.2892-9	1 July 1992 (see regulation 2)	
<i>Jetties Amendment Regulations 1993</i>	7 May 1993 p.2361	7 May 1993	
<i>Jetties Amendment Regulations (No. 2) 1993</i>	29 June 1993 pp.3191-7	1 July 1993 (see regulation 2)	
<i>Jetties Amendment Regulations 1994</i>	14 June 1994 pp.2475-82	1 July 1994 (see regulation 2)	
<i>Jetties Amendment Regulations 1995</i>	30 June 1995 pp.2698-2705	1 July 1995 (see regulation 2)	
<i>Jetties Amendment Regulations 1996</i>	25 June 1996 pp.2981-91	1 July 1996 (see regulation 2)	
<i>Jetties Amendment Regulations 1997</i>	13 May 1997 p.2349	13 May 1997	

Citation	Gazettal	Commencement	Miscellaneous
<i>Jetties Amendment Regulations (No.2) 1997</i>	27 June 1997 pp.3151-64	1 July 1997 (see regulation 2)	
<i>Miscellaneous Amendments Regulations 1997, regulation 2</i>	6 January 1998 p.33	6 January 1998	
<i>Jetties Amendment Regulations 1998</i>	12 May 1998 pp.2775-90	1 July 1998 (see regulation 2)	
<i>Jetties Amendment Regulations 1999</i>	22 June 1999 pp.2678-89	1 July 1999 (see regulation 2)	

² Repealed by the *Explosives and Dangerous Goods Act 1961* (No. 38 of 1961).