
MARINE/MARITIME

MA301*

Jetties Act 1926

Jetties Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Jetties Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Jetties Regulations 1940*.

4. Schedule 1 amended

- (1) At the end of Schedule 1 Division 1A insert:

1D. Active loading and unloading

A fishing vessel for which there has been paid an amount in accordance with clause 1B or 1C may remain at a service wharf or jetty for longer than the one hour allowed under those clauses, if —

- (a) the extra time is required to complete active loading and unloading operations; and
- (b) the active loading and unloading operations are continuously in progress; and
- (c) the vessel vacates the berth during that extra time to facilitate other requirements or avoid adverse effects on other harbour operations, when directed to do so by an officer.

1E. Wyndham excluded

Clauses 1A, 1B, 1C and 1D do not apply to a vessel in the Port of Wyndham.

- (2) In Schedule 1 Division 1 clause 7 Table 7.1 item 8 delete “item 6 or 7” and insert:
- item 5 or 6 or pile mooring
- (3) In Schedule 1 Division 1 clause 12(2) after “recreational vessel,” insert:
- Government vessel,
- (4) In Schedule 1 Division 1 clause 12 Table 12.1 items 1, 3, 5, 8 and 10 after “recreational vessel,” insert:
- Government vessel,
- (5) In Schedule 1 Division 1 clause 15 Table 15.1 item 2 delete “wharf” and insert:
- jetty
- (6) In Schedule 1 Division 1 clause 21(2) after “recreational vessel,” insert:
- Government vessel,
- (7) In Schedule 1 Division 1 clause 21 Table 21.1:
- (a) in item 1 after “recreational vessel,” insert:
- Government vessel,
- (b) in item 3 after “by a” insert:
- Government vessel,
- (c) delete item 4;
- (d) in item 5 delete “jetty” and insert:
- wharf
- (e) in items 8 and 9 after “recreational vessel,” insert:
- Government vessel,

- (8) In Schedule 1 Division 1 clause 22(2) after “recreational vessel,” insert:

Government vessel,

- (9) In Schedule 1 Division 1 clause 22 Table 22.1:

- (a) in item 1 after “recreational vessel,” insert:

Government vessel,

- (b) in item 3 after “by a” insert:

Government vessel,

- (c) in item 7 after “recreational vessel,” insert:

Government vessel,

- (d) in item 9 after “by a” insert:

Government vessel,

- (10) In Schedule 1 Division 1 clause 22 Table 22.2 item 1 delete “calculated per metre of the vessel’s length at the daily rate of —” and insert:

per day of —

- (11) In Schedule 1 Division 1 clause 25A Table 25A.1 after item 5 insert:

- | | | |
|----|---|--------|
| 6. | For the use, other than casual daily use, of an alongside berth, an amount calculated per metre of the vessel’s length using the annual rate of | 406.79 |
|----|---|--------|

- (12) At the beginning of Schedule 1 Division 2 insert:

26A. Wyndham excluded

This Division does not apply to a vessel in the Port of Wyndham.

- (13) In Schedule 1 Division 2 clause 31 Table 31.1 item 2 delete “either a swing mooring fee or an annual pen charge have” and insert:

an annual fee for use of a mooring, pen or alongside berth has

5. Schedule 2 amended

At the end of Schedule 2 Division 1A insert:

1E. Active loading and unloading

A fishing vessel for which there has been paid an amount in accordance with clause 1C or 1D may remain at a service wharf or jetty for longer than the one hour allowed under those items, if —

- (a) the extra time is required to complete active loading and unloading operations; and
- (b) the active loading and unloading operations are continuously in progress; and
- (c) the vessel vacates the berth during that extra time to facilitate other requirements or avoid adverse effects on other harbour operations, when directed to do so by an officer.

1F. Wyndham excluded

Clauses 1B, 1C, 1D and 1E do not apply to a vessel in the Port of Wyndham.

N. HAGLEY, Clerk of the Executive Council.