

---

**TRANSPORT**

---

TR301\*

Jetties Act 1926

**Jetties Amendment Regulations 2002**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Jetties Amendment Regulations 2002*.

**2. The regulations amended**

The amendments in these regulations are to the *Jetties Act Regulations 1940\**.

[\* Reprinted as at 10 December 1999.  
For amendments to 28 May 2002 see 2001 Index to  
Legislation of Western Australia, Table 4, p. 181.]

**3. Regulation 2 inserted**

After regulation 1 the following regulation is inserted —

“

**2. Liability for dues, charges and fees**

Unless otherwise stated in a specific regulation, the owner and the master of a vessel are jointly and severally liable for the dues, charges and fees incurred by, or in relation to, the vessel or its cargo under these regulations.

”

**4. Regulation 3 amended**

Regulation 3(1) is amended as follows:

- (a) by rearranging the definitions into alphabetical order;
- (b) by inserting in the appropriate alphabetical positions the following definitions —

“

“**Master**” means a person, other than a pilot, having command or charge of a vessel.

“**Owner**”, in relation to a vessel, means —

- (a) if the vessel is owned by an individual, that individual;

- (b) if the vessel is owned by a body corporate or unincorporate, that body;
- (c) a person who is purchasing the vessel under a contract that is a credit sale contract for the purposes of the *Credit Act 1984*;
- (d) a person who is the purchaser or hirer of the vessel under a contract that for the purposes of the Consumer Credit (Western Australia) Code is a credit contract, or is to be regarded as a credit contract, to which that Code applies;
- (e) a person who has the use of the vessel under a hiring, hire purchase, lease, loan, charter or other agreement;
- (f) a person who holds a current Certificate of Survey of the vessel, or in whose name the vessel is registered, but does not include an unpaid vendor under a hire purchase agreement or the lessor under a lease.

”

**5. Regulation 70A replaced**

Regulation 70A is repealed and the following regulation is inserted instead —

“

**70A. Rottnest Island berthing fee**

The berthing fee set out in Appendix IA is payable when a vessel is berthed at the Main Ferry Jetty at Rottnest Island.

”

**6. Regulation 94A replaced**

Regulation 94A is repealed and the following regulation is inserted instead —

“

**94A. Fees, etc. for pen rentals and services**

The fees and charges payable for pen rentals and services in particular ports and harbours (other than the Port of Perth) are as set out in Appendix III Part 1.

”

By Command of the Lieutenant-Governor and  
deputy of the Governor,

ROD SPENCER, Clerk of the Executive Council.