

RI301

ROTTNEST ISLAND AUTHORITY ACT 1987

ROTTNEST ISLAND AMENDMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Rottnest Island Amendment Regulations 1994*.

Principal regulations

2. In these regulations the *Rottnest Island Regulations 1988** are referred to as the principal regulations.

[* *Published in Gazette of 30 May 1988 at pp. 1825-46.*
For amendments to 6 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 237.]

Regulation 3 amended

3. Regulation 3 of the principal regulations is amended by inserting after the definition of "bicycle" the following definitions —

“

“**declare**” and “**declared**” mean declare or declared to, and in a manner approved by, the Authority;

“**owner**”, in relation to a vessel, or aircraft, referred to in regulation 5 (3), 6, 7A, 7B, 7C or 7D, includes a charterer, lessee or bailee of the vessel or aircraft;

”.

Regulation 6 amended

4. Regulation 6 of the principal regulations is amended —

(a) in subregulation (1), by deleting “The owner” and substituting the following —

“ Subject to regulations 7A, 7B and 7C, the owner ”; and

(b) by repealing subregulation (4).

Regulation 7A amended

5. Regulation 7A of the principal regulations is amended —

(a) in subregulation (3), by deleting “greater than or less than” and substituting the following —

“ different from ”; and

(b) by repealing subregulation (4).

Part 2 amended

6. Part 2 of the principal regulations is amended by inserting after regulation 7A the following regulations —

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Aerodrome usage fees

7B. (1) Subject to regulations 7C and 7D, the owner of an aircraft in which persons are carried to the Island shall pay to the Authority, for each occasion when the aircraft lands at the Island, the aerodrome usage fee set out in Part 1 of Schedule 6 that applies to the maximum loaded weight and type of the aircraft.

(2) If the owner of an aircraft pays the applicable aerodrome usage fee under subregulation (1) or annual payment under regulation 7C, a person who is carried to the Island in the aircraft shall be deemed to have paid the admission fee prescribed by regulation 5.

Annual payment in lieu of aerodrome usage fees

7C. (1) Subject to regulation 7D, the owner of an aircraft in which persons are carried to the Island may pay to the Authority, instead of the aerodrome usage fee referred to in regulation 7B for each occasion when the aircraft lands at the Island, an annual payment —

- (a) in advance of and in respect of a financial year; and
- (b) calculated by multiplying the amount set out in Part 2 of Schedule 6 that applies to the maximum loaded weight and type of the aircraft by the number of visits declared by the owner to be made by the aircraft to the Island during that financial year.

(2) At the time when the owner of an aircraft makes a declaration of the number of visits to be made by the aircraft to the Island during a financial year, the owner shall also declare the number of visits, if any, made by the aircraft to the Island during the previous financial year.

(3) If the number of visits made by an aircraft to the Island during the previous financial year is different from the number declared by the owner in respect of that financial year, the Authority may make an appropriate adjustment to the annual payment payable by the owner under subregulation (1).

Regulations 7B and 7C not applicable to certain aircraft

7D. (1) Regulations 7B and 7C do not apply —

- (a) in respect of an aircraft operated as part of a regular passenger transport service to the Island; or
- (b) in respect of an aircraft, operated by a charter operator approved by the Authority, in which persons are carried for reward from, and returned to, the Island without the aircraft having landed outside the limits of the Island.

(2) The aerodrome usage fee, if any, payable by the owner of an aircraft referred to in subregulation (1) that lands at the Island is as determined from time to time by the Authority.

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Schedule 6 added

7. After Schedule 5 to the principal regulations the following Schedule is added —

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SCHEDULE 6

[regs. 7B and 7C]

PART 1 — AERODROME USAGE FEES

- | | | |
|----|--|---------|
| 1. | Any aircraft (other than a helicopter) with a maximum loaded weight not greater than 2 000 kilograms | \$20.00 |
| 2. | Any aircraft (other than a helicopter) with a maximum loaded weight greater than 2 000 kilograms | \$30.00 |
| 3. | Any helicopter, irrespective of its maximum loaded weight | \$30.00 |

PART 2 — AERODROME USAGE FEES FOR CALCULATING ANNUAL PAYMENT

- | | | |
|----|--|---------|
| 1. | Any aircraft (other than a helicopter) with a maximum loaded weight not greater than 2 000 kilograms | \$17.00 |
| 2. | Any aircraft (other than a helicopter) with a maximum loaded weight greater than 2 000 kilograms | \$25.00 |
| 3. | Any helicopter, irrespective of its maximum loaded weight | \$25.00 |

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By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.