

PORT AUTHORITIES

PH301

FREMANTLE PORT AUTHORITY ACT 1902**FREMANTLE PORT AUTHORITY AMENDMENT REGULATIONS 1992**

Made by the Fremantle Port Authority and approved by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fremantle Port Authority Amendment Regulations 1992*.

Principal regulations

2. In these regulations the *Fremantle Port Authority Regulations 1971** are referred to as the principal regulations.

[* Reprinted in the Gazette of 9 August 1979 at pp. 2295-418.
For amendments to 30 June 1992 see 1991 Index to Legislation of
Western Australia at pp. 334-9 and Gazettes of 28 January,
17 March and 26 June 1992.]

Regulation 102 amended

3. Regulation 102 of the principal regulations is amended by inserting after paragraph (f) in the Table the following paragraph —

“

- (g) For every movement within the Port and every entry into or departure from the Port of a vessel of which the master holds a Certificate of Local Knowledge issued under regulation 122, other than such a vessel which plies between the Port and Rottnest Island or Hillarys Boat Harbour or a tug which provides towage within the Port

152

”

Regulation 122 repealed and regulations substituted

4. Regulation 122 of the principal regulations is repealed and the following regulations are substituted —

“ Certificate of Local Knowledge

122. (1) In this regulation —

“Certificate” means a Certificate of Local Knowledge.

(2) For the purposes of subregulation (3) a person is a qualified applicant if at the date of applying for a Certificate the person has been the master or mate of a vessel of more than 150 tons gross register —

- (a) for at least 3 months during the period of 12 months preceding the date of the application; and
- (b) on at least 4 occasions in those 3 months when the vessel was navigated in those areas of the Port to which the Certificate is to relate,

and —

- (c) if the person was master on any of those occasions, the person held a certificate of competency as Master Class IV, or a higher certificate, and the vessel had a pilot on board; or
- (d) if the person was mate on any of those occasions, the master of the vessel was the holder of a Certificate relating to the area of the Port in which the vessel was navigated.

(3) If a qualified applicant —

- (a) pays the application fee of \$50 to the Port Authority; and
- (b) satisfies the Harbour Master, by passing an examination, that the applicant —
 - (i) is capable of navigating a vessel of more than 150 tons gross register within the Port; and
 - (ii) has a reasonable knowledge of the procedures and laws governing persons navigating vessels within the Port,

the Port Authority shall issue the applicant with a Certificate.

(4) If a person who has held a certificate of competency as Master Class IV, or a higher certificate, for the period of 12 months preceding 1 July 1992 applies for a Certificate before 1 July 1993 and —

- (a) satisfies the Harbour Master that on at least 10 occasions in that period the person has, as the master of a vessel of more than 150 tons gross register, navigated the vessel in those areas of the Port to which the certificate is to apply; and
- (b) satisfies the Harbour Master, by passing an examination, of the matters in subregulation (3) (b),

the Port Authority shall issue the applicant with a Certificate without charge.

(5) A Certificate shall —

- (a) be in a form determined by the Port Authority;
- (b) specify those areas of the Port to which it applies; and
- (c) be signed by the Harbour Master.

(6) The Port Authority may, in its absolute discretion, revoke a Certificate.

(7) If the holder of a Certificate does not, as master, navigate a vessel of more than 150 tons gross register within the Port during a continuous period of 12 months, the Certificate shall be taken as having been revoked on the expiry of the 12 months.

Effect of Certificate of Local Knowledge

122A. (1) Subject to paragraph (g) in the Table to regulation 102, a vessel of 500 gross registered tons or less, or of a length overall of 50 metres or less, is exempt from pilotage if —

- (a) the master holds a Certificate of Local Knowledge issued under regulation 122; and
- (b) it is navigated in those areas of the Port to which the Certificate applies.

(2) For the purposes of subregulation (1), a person is deemed not to be the master —

- (a) of an inward bound vessel unless the person has been in charge of the vessel, and the person's name has been entered as master on the vessel's register, from prior to its departure from the last port of call until after its arrival at its berthing place in the Port; and
- (b) of an outward bound vessel unless the person's name is entered as master on the vessel's register from prior to its departure from its berthing place and until arrival at its next port of call. ”

The Common Seal of the Fremantle Port Authority was affixed on 29 July 1992 by order and in the presence of—

A. R. CARTER, Commissioner.
K. SANDERSON, Commissioner.
A. W. MEYER, Secretary.

Approved by His Excellency the Lieutenant-Governor and Administrator in Executive Council.

D. G. BLIGHT, Clerk of the Council.