

PH302

BUNBURY PORT AUTHORITY ACT 1909**BUNBURY PORT AUTHORITY AMENDMENT REGULATIONS (No. 2) 1991**

Made by the Bunbury Port Authority.

Citation

1. These regulations may be cited as the *Bunbury Port Authority Amendment Regulations (No. 2) 1991*.

Commencement

2. These regulations shall come into operation on 1 July 1991.

Principal regulations

3. In these regulations the Bunbury Port Authority Regulations 1962* are referred to as the principal regulations.

[*Published in the Government Gazette on 30 October 1962 at pp. 3543-3600. For amendments to 5 June 1991 see 1990 Index to Legislation of Western Australia, pp. 197-9.]

Regulation 1 amended

4. Regulation 1 of the principal regulations is amended—

(a) by inserting after the definition of "cargo" the following definition—

“ “cargo charges” means berth hire, port infrastructure and cargo handling charges; ”;

(b) by deleting the definition of "tonnage rates";

and

(c) by deleting the definition of "Minister" and substituting in its alphabetical position the following definition—

“ “navigational service charges” means the charges imposed under Part 1 Table 1 of the Second Schedule; ”.

Regulation 26 repealed and a regulation substituted

5. Regulation 26 of the principal regulations is repealed and the following regulation is substituted—

Payment of charges

“ 26. Notwithstanding anything in these regulations the Port Authority may recover any charge prescribed in these regulations from any person who may be liable by law to pay the charge.

Part IV amended

6. Part IV of the principal regulations is amended by deleting the heading "PART IV—TONNAGE RATES." and substituting the following—

“ PART IV—NAVIGATIONAL SERVICES CHARGES ”.

Regulation 79 amended

7. Regulation 79 of the principal regulations is amended by deleting "tonnage rates" and substituting the following—

“ navigational services charges ”.

Regulation 80 amended

8. Regulation 80 of the principal regulations is amended by deleting "tonnage rates" and substituting the following—

“ navigational services charges ”.

Regulation 81 amended

9. Regulation 81 of the principal regulations is amended—
- (a) by deleting "tonnage rates" and substituting the following—
" navigational services charges ";
 - (b) by inserting after paragraph (a) the following—
" or ";
 - (c) by deleting or "; or" after paragraph (b) and substituting a full stop;
and
 - (d) by repealing paragraph (c).

Regulation 82 repealed and a regulation substituted

10. Regulation 82 of the principal regulations is repealed and the following regulation is substituted—

Navigational services charges

- " 82. Navigational services charges shall be in accordance with Part 1 Table 1 of the Second Schedule. "

Regulation 83 amended

11. Regulation 83 of the principal regulations is amended by deleting "tonnage rates" and substituting the following—
" navigational services charges ".

Regulations 84 and 85 repealed

12. Regulations 84 and 85 of the principal regulations are repealed.

Regulation 86 amended

13. Regulation 86 of the principal regulations is amended in subregulations (1) and (2) by deleting "tonnage rates" wherever occurring and substituting in each case the following—

" navigational services charges ".

Regulations 87 and 88 repealed

14. Regulations 87 and 88 of the principal regulations are repealed.

Regulation 89 amended

15. Regulation 89 of the principal regulations is amended in subregulation (1) by deleting "dues and charges on cargo" and substituting the following—

" cargo charges ".

Regulation 91 amended

16. Regulation 91 of the principal regulations is amended in subregulation (2) by deleting "amount of wharfage and other dues" and substituting the following—

" cargo charges ".

Regulation 92 amended

17. Regulation 92 of the principal regulations is amended—
- (a) in subregulation (1) by deleting "wharfage dues and handling" where twice occurring and substituting in each case the following—
" cargo charges "; and
 - (b) in subregulation (2), by deleting "wharfage dues, handling" and substituting the following—
" cargo charges ".

Regulation 93 amended

18. Regulation 93 of the principal regulations is amended—
- (a) by repealing subregulation (1) and substituting the following subregulation—
" (1) The cargo charges and other charges prescribed by this regulation shall be paid on any goods discharged from, or to be shipped in, or transhipped out of, any vessel in the Port. ";
 - (b) in subregulation (2) by deleting "wharfage dues and handling charges" and substituting the following—
" cargo charges "; and
 - (c) by repealing subregulation (3).

Regulations 94, 95 and 96 repealed and a regulation substituted

19. Regulations 94, 95 and 96 of the principal regulations are repealed and the following regulation is substituted—

Cargo charges

" 94. (1) The cargo charges payable on inwards cargo, outwards cargo and transhipment cargo are as set out in Schedule 2 Tables 2, 3 and 4.

(2) Where the discharge and reshipping of transhipment cargo is not at the same shed in the Port, 2 cargo handling charges are payable. "

Regulation 98 amended

20. Regulation 98 of the principal regulations is amended in subregulation (1) by deleting the passage commencing with "upon which an" and ending with "wharfage rates" and substituting the following—

" are exempt from cargo charges "

Part IX amended

21. Part IX of the principal regulations is amended by repealing Division 2.

Regulation 200A amended

22. Regulation 200A of the principal regulations is amended by deleting "wharfage charges" and substituting the following—

" cargo charges "

Regulation 261 amended

23. Regulation 261 of the principal regulations is amended by deleting "One hundred pounds" and substituting the following—

" \$200 "

Second Schedule repealed and a Schedule substituted

24. The Second Schedule to the principal regulations is repealed and the following schedule is substituted—

"

Schedule 2**Part 1****Table 1****Navigational Services Charges**

1. Charges set out in this table are payable by the vessel.
2. Subject to these regulations, navigational services charges are payable in relation to every vessel entering the Port and shall be calculated on the gross registered tonnage of the vessel as follows—
 - (a) for every visit to the Port exceeding 24 hours—
 - (i) Outer Harbour \$0.46 per ton;
 - (ii) Inner Harbour \$0.52 per ton;
 - (b) for every visit to the Port not exceeding 24 hours—
 - (i) Outer Harbour \$0.0192 per ton per hour;
 - (ii) Inner Harbour \$0.0217 per ton per hour.

Table 2**Berth Hire Charges**

1. Berth hire charges relating to the handling of cargo are payable on the basis of 50% in respect of the vessel and 50% in respect of the goods and shall be payable on the time of the vessel at the berth calculated on an hourly rate as follows—

(a) Outer Harbour	\$
No. 1 Berth	120
No. 2 Berth	304
(b) Inner Harbour	\$
No. 1 Berth	364
No. 2 Berth	244

2. Berth hire charges not related to the handling of cargo (e.g. for the purposes of cleaning holds, ship repair or after cargo is loaded or discharged if the berth is not required) are payable in respect of the vessel and shall be payable on the time of the vessel at the berth calculated on an hourly rate as follows—

	\$
(a) Outer Harbour	120
(b) Inner Harbour	244

Table 3

Port Infrastructure Charges

Port infrastructure charges are payable in respect of the goods calculated on a unit of mass or volume as determined by the Port Authority as follows—

	\$
(a) Outer Harbour	
No. 1 Berth	1.13 per unit
No. 2 Berth	1.13 per unit
(b) Inner Harbour	
No. 1 Berth	0.72 per unit
No. 2 Berth	0.72 per unit
(c) Inner Harbour	
"A" Berth	0.36 per unit

Table 4

Cargo Handling Charges

1. Subject to these regulations cargo handling charges are payable in respect of the goods and shall be calculated on the basis of a unit of mass or volume as determined by the Authority on cargo loaded or unloaded—

	\$
(a) Outer Harbour	
Mineral Sands	0.47 per unit
Methanol	2.70 per unit
Vegetable Oils	3.00 per unit
(b) Inner Harbour	
Vegetable Oils	3.00 per unit
Bulk Fertilizer	
(e.g. Phosphate,	
Potash, Sulphur)	0.97 per unit
Petroleum Coke	0.97 per unit

2. Where no provision is made in item 1 for a cargo handling charge the Port Authority may determine the charge payable.

Part 2

Miscellaneous Charges

	\$
1. Hire of plant such as cranes, forklifts and other plant (per hour)	30.00
2. Water (per kilolitre)	0.75

Adopted by the Bunbury Port Authority on 11 June, 1991.

J. WILLINGE, Chairman.
B. P. CUNNINGHAM, General Manager.
L. A. TUIA, Member.