Western Australian Marine Act 1982

W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2010*.

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 1 July 2010.

3. Regulations amended

These regulations amend the *W.A. Marine (Certificates of Competency and Safety Manning) Regulations 1983*.

4. Regulation 3 amended

(1) In regulation 3 delete the definition of *marine authority*. 
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(2) In regulation 3 insert in alphabetical order:

Australian marine authority means the statutory marine authority of the Commonwealth or of a State or Territory;

marine authority means —

(a) an Australian marine authority; or

(b) the marine authority of another country if there is an agreement between the Commonwealth and that other country under which the Commonwealth recognises that other country’s certificates of competency;

5. Regulation 11 amended

In regulation 11(2) delete “marine authorities” and insert:

Australian marine authorities

6. Regulation 14 amended

In regulation 14 delete “a certified copy of” and insert:

a replacement for

7. Regulation 15 amended

In regulation 15(4) delete “marine authorities” and insert:

Australian marine authorities
W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2010

8. Regulation 17 amended

In regulation 17(1):
(a) after “examination” (first occurrence) insert:

for a certificate of competency

(b) in paragraph (d) delete “examination.” and insert:

examination; and

(c) after paragraph (d) insert:

(e) any fees set out in Schedule 3 that are payable in respect of sitting the examination.

(d) after each of paragraphs (a) and (b) insert:

and

9. Regulation 18 amended

After regulation 18(2) insert:

(3) A record of service may be kept in a booklet supplied by the chief executive officer or in another appropriate form.
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10. Regulation 28 amended

(1) Delete regulation 28(1) and insert:

(1) Subject to this regulation, the safety manning of commercial vessels must be in accordance with Schedule 5.

(1A) The chief executive officer may, on the application of a party with an interest in a commercial vessel, give a direction about the safety manning of the vessel.

(1B) The chief executive officer may, on the chief executive officer’s own initiative, give a direction about the safety manning of a commercial vessel or a specified class of commercial vessels.

(2) In regulation 28(2) delete “officer, made in accordance with subregulation (1),” and insert:

officer made under subregulation (1A) or (1B),

11. Regulation 31A amended

In regulation 31A after “matters” insert:

under the Act or these regulations
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12. Schedule 3 replaced

Delete Schedule 3 and insert:

Schedule 3 — Fees

[r. 31A]

<table>
<thead>
<tr>
<th>Item no.</th>
<th>Provision</th>
<th>Subject matter</th>
<th>Fee</th>
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<tbody>
<tr>
<td>1</td>
<td>s. 115A(1)</td>
<td>Deciding application for exemption from:</td>
<td>$193.90 per hour or part of an hour</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• any provision of Part II Division 2 or 3 of the Act</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>• any provision of these regulations</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>r. 8(1)</td>
<td>Application for certificate of competency</td>
<td>$193.90</td>
</tr>
<tr>
<td>3</td>
<td>r. 8(1)</td>
<td>Grant of certificate of competency</td>
<td>$141.60</td>
</tr>
<tr>
<td>4</td>
<td>r. 9(1)</td>
<td>Deciding application for addition or deletion of endorsement</td>
<td>$193.90 per hour or part of an hour</td>
</tr>
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</table>
| 5.       | r. 10(1b) | Application for revalidation of certificate of competency:  
- Master Class III  
- Master Class IV  
- Mate Class IV  
- Marine Engineer Class III  
- Marine Engine Driver Grade I | $193.90 |
| 6.       | r. 10(1b) | Application for revalidation of certificate of competency:  
- Master Class V  
- Coxswain  
- Marine Engine Driver Grade II | $141.60 |
| 7.       | r. 13     | Application for acceptance of certificate of competency issued by another marine authority | $193.90 |
| 8.       | r. 14     | Issue of replacement certificate | $141.60 |
| 9.       | r. 17(1)  | Sitting first examination for certificate of competency | $387.80 |
| 10.      | r. 17(1)  | Sitting second or subsequent examination (if required) for certificate of competency | $193.90 per examination |
## W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations 2010

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<tr>
<td>11.</td>
<td>r. 17(1)</td>
<td>In addition to fee set out in item 9 or 10, if examination is conducted (at examinee’s request) at time or place not normally scheduled for conduct of examinations, for travel by examiner to and from place where examination is conducted</td>
<td>reasonable costs and expenses incurred</td>
</tr>
<tr>
<td>12.</td>
<td>r. 18(3)</td>
<td>Record of service booklet</td>
<td>$11.00</td>
</tr>
<tr>
<td>13.</td>
<td>r. 27A(3)</td>
<td>Issue of certificate of proficiency</td>
<td>$12.90</td>
</tr>
<tr>
<td>14.</td>
<td>r. 28(1A)</td>
<td>Application for safety manning direction</td>
<td>$193.90</td>
</tr>
<tr>
<td>15.</td>
<td>r. 29(1)</td>
<td>Application for dispensation</td>
<td>$193.90</td>
</tr>
</tbody>
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By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.