



New South Wales

Commercial Vessels Legislation Amendment (Fees, Expenses and Charges) Regulation 2009

under the

Commercial Vessels Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Commercial Vessels Act 1979*.

JOSEPH TRIPODI, MP
Minister for Ports and Waterways

Explanatory note

The objects of this Regulation are:

- (a) to increase certain fees prescribed by the *Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986* that are payable in respect of:
 - (i) examinations for certificates of competency, and
 - (ii) the issue, recognition and revalidation of certificates of competency, and
 - (iii) miscellaneous other matters, and
- (b) to increase the fees prescribed by the *Commercial Vessels (Load Lines) Regulation 1986* that are payable in respect of:
 - (i) an initial survey and the issue of a load line certificate, and
 - (ii) an initial survey and the issue of a load line exemption certificate, and
 - (iii) a periodical survey, and
 - (iv) a periodical inspection, and
- (c) to increase certain fees, expenses and charges prescribed by the *Commercial Vessels (Permits) Regulation 1986* that are payable in respect of:
 - (i) applications for permits under the *Commercial Vessels Act 1979*, and
 - (ii) investigations of those applications, and
 - (iii) miscellaneous other matters.

The increases are generally in line with movements in the Consumer Price Index.

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Explanatory note

This Regulation is made under the *Commercial Vessels Act 1979*, including sections 15 (5), 17, 20 (3), 22 (5), 30, 30F (2) (a) (v), 30G (3), 30H (4), 30I (6), 38 (1) and 52 (the general regulation-making power) and, in particular, section 52 (1) (a) and (j).

Commercial Vessels Legislation Amendment (Fees, Expenses and Charges) Regulation 2009

under the

Commercial Vessels Act 1979

1 Name of Regulation

This Regulation is the *Commercial Vessels Legislation Amendment (Fees, Expenses and Charges) Regulation 2009*.

2 Commencement

This Regulation commences on 1 October 2009 and is required to be published on the NSW legislation website.

2009 No 354

Commercial Vessels Legislation Amendment (Fees, Expenses and Charges) Regulation 2009

Schedule 1 Amendment of Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986

Schedule 1 Amendment of Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986**Schedule 3**

Omit the Schedule. Insert instead:

Schedule 3 Fees payable in connection with certificates of competency

(Clause 13)

Part 1 Fees in respect of examinations

| Column 1 | Column 2 | Column 3 |
|--|---|-----------------|
| Class of certificate or endorsement | Examination for which fee is payable | Fee \$ |
| Master Class 1, Master Class 1 (limited to sail as Chief Mate), Master Class 2, Master Class 2 (limited to sail as Chief Mate), Second Mate Class 1, Second Mate Class 2 | All exams for the relevant class of certificate | 442 |
| Master Class 3 or Master Class 3 (limited to sail as Chief Mate) | All exams for the relevant class of certificate | 442 |
| Master Class 4 or Mate Class 4 | All exams for the relevant class of certificate | 405 |
| Master Class 5 | All exams for the relevant class of certificate | 305 |
| Coxswain | All exams for the relevant class of certificate | 154 |
| Marine Engineer Class 1, Marine Engineer Class 2 or Marine Engineer Watchkeeper | All exams for the relevant class of certificate | 442 |
| Marine Engineer Class 3 | All exams for the relevant class of certificate | 305 |
| Marine Engine Driver Grade 1 | All exams for the relevant class of certificate | 305 |
| Marine Engine Driver Grade 2 | All exams for the relevant class of certificate | 199 |

| Column 1 | Column 2 | Column 3 |
|---|---|-----------------|
| Class of certificate or endorsement | Examination for which fee is payable | Fee \$ |
| Marine Engine Driver Grade 3 | All exams for the relevant class of certificate | 105 |
| All classes mentioned above | Where a single written or single oral supplementary exam is carried out for the relevant class of certificate | 42 |
| Certificate endorsed for either trading or fishing operations | Trading or fishing operations | 105 |
| Certificate endorsed for air-cushioned vessel operations | Air-cushioned vessel operations | 105 |
| Certificate endorsed for special operations | Special operations | 105 |
| Certificate endorsed for refrigeration operations | Engineering knowledge—written | 105 |
| | Engineering knowledge—oral | 105 |

Part 2 Fees in respect of issue, recognition and revalidation of certificates of competency

| Column 1 | Column 2 |
|--|-----------------|
| Matter for which fee is payable | Fee \$ |
| Issue of certificate under section 30H of the Act if the candidate satisfies examination requirements (or those requirements except for short courses) outside NSW | 49 |
| Recognition of certificates of other States etc under section 30L of the Act: | |
| (a) by endorsement of certificate | 17 |
| (b) by notice certifying validity | 35 |
| Revalidation of certificate under section 30I of the Act | 105 |
| Issue of duplicate certificate under section 30H (4) of the Act for certificate lost or destroyed | 105 |

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Schedule 1 Amendment of Commercial Vessels (Certificates of Competency and Safety Manning) Regulation 1986

Part 3 Miscellaneous fees

| Column 1 | Column 2 |
|--|--|
| Matter for which fee is payable | Fee \$ |
| Eyesight test conducted by the Minister to satisfy medical requirements for issue of certificate of competency | 53 |
| Re-assessment of written examination paper for issue of certificate of competency | 26 |
| Oral examination required on seamanship or coastal local knowledge in connection with certificate of competency | 105 |
| Application for review of the Minister's decision under clause 6 of this Regulation | 35 |
| Record of service book | 28 |
| Where, at the request of the applicant for examination, a person acting on behalf of the Minister attends at a place where the officer would not, except in response to the request, have been engaged on official duties—travelling and accommodation expenses incurred by the officer because of that attendance | Such reasonable fee as may be deemed by the Minister to cover some or all of those expenses and was notified to the applicant at the time of the request |
| Issue of certificate of competency where the applicant has passed examinations conducted by another marine authority | 81 |
| Search fee—per item | 42 |

Schedule 2 Amendment of Commercial Vessels (Load Lines) Regulation 1986

Schedule 2 Fees

Omit items 1–4 from the Schedule. Insert instead:

| | | |
|---|---|-----|
| 1 | Initial survey and issue of load line certificate | 327 |
| 2 | Initial survey and issue of load line exemption certificate | 327 |
| 3 | Periodical survey | 327 |
| 4 | Periodical inspection | 108 |

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Schedule 3 Amendment of Commercial Vessels (Permits) Regulation 1986

Schedule 3 Amendment of Commercial Vessels (Permits) Regulation 1986

Schedule 3

Omit the Schedule. Insert instead:

Schedule 3 Fees, expenses and charges

(Clause 14)

Part 1 General

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|---|---|--|
| 1 | Replacement of a permit plate that has become lost, illegible, damaged or destroyed (section 15 (5) of the Act) | \$79 |
| 2 | Investigation as to whether conditions should be imposed on a deemed temporary permit (but only where conditions are imposed under section 19 (3) (b) of the Act): | \$279 |
| | In addition, for any inspection of a vessel for that purpose | \$141 per hour or part of an hour |
| 3 | Work carried out in connection with: | |
| | (a) an application for a permit and investigation of the application (including survey, examination, approval of plans, witnessing position of draught marks, witnessing of inclining tests, approval of stability data, witnessing of vessel trials and examination of information in connection with approval of plans), or | |
| | (b) an application for approval of prototype vessel plans: | |
| | For a vessel less than or equal to 7.5 metres in length | \$144 per metre (or part of a metre) of length of the vessel |
| | For a vessel more than 7.5 metres in length | \$300 per metre (or part of a metre) of length of the vessel |

| | | |
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| 4 | Work carried out in connection with an application for a permit in respect of a vessel of a design or production run for which a prototype approval has previously been issued: | |
| | For a vessel less than or equal to 7.5 metres in length | \$74 per metre (or part of a metre) of length of the vessel |
| | For a vessel more than 7.5 metres in length | \$141 per metre (or part of a metre) of length of the vessel |
| 5 | Work associated with the repeated re-examination of vessel survey plans | \$141 per hour or part of an hour |
| 6 | Investigation as to whether the suspension of a permit was justified (section 22 (5) of the Act): | \$141 |
| | In addition, for any inspection of a vessel for that purpose | \$141 per hour or part of an hour |
| 7 | Work carried out in respect of the survey of a vessel in accordance with its survey schedule (section 30 of the Act): | |
| | For a vessel less than or equal to 7.5 metres in length | \$49 per metre (or part of a metre) of length of the vessel |
| | For a vessel that is more than 7.5 metres in length but less than or equal to 15 metres in length | \$72 per metre (or part of a metre) of length of the vessel |
| | For a vessel that is more than 15 metres in length | \$87 per metre (or part of a metre) of length of the vessel |
| 8 | Issue of a replacement survey record book (clause 10 (7)) | \$188 |
| 9 | Issue of a towage permit (clause 12): | \$72 |
| | In addition, for any inspection of a vessel for that purpose | \$141 per hour or part of an hour |
| 10 | Inspection, where a defect or deficiency has been revealed by a survey under section 28 of the Act, for the purpose of ascertaining whether the defect or deficiency has been rectified | \$141 per hour or part of an hour |
| 11 | Inspection subsequent to repairs following accident damage (section 29 (3) of the Act) | \$141 per hour or part of an hour |
| 12 | Preliminary inspection of an existing vessel for oral advice on survey requirements | \$235 (which is to be deducted from any subsequent application fee in relation to the vessel) |

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Schedule 3 Amendment of Commercial Vessels (Permits) Regulation 1986

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|----|---|--|
| 13 | Conversion of a deemed temporary permit to a New South Wales permit (section 20 of the Act) | \$141 per metre |
| 14 | Reinstatement of suspended permits | \$141 |
| 15 | Resurvey of vessel with cancelled survey permit: | |
| | For a vessel less than or equal to 7.5 metres in length | \$74 per metre (or part of a metre) of length of the vessel |
| | For a vessel more than 7.5 metres in length | \$141 per metre (or part of a metre) of length of the vessel |

Part 2 Supplementary charges payable in addition to the fees, expenses and charges under Part 1

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| 16 | Survey or service carried out by a surveyor outside normal working hours | \$70 per hour or part of an hour (including travelling time), subject to a minimum fee of \$273 where the hours are not merely an extension of normal working hours |
| 17 | Attendance by a surveyor (at the request of an applicant for a vessel permit, or of a person submitting a vessel for inspection or the issue of a towage permit) otherwise than at a place or time at which the surveyor is normally engaged in official duties | Such reasonable travel and accommodation expenses as are incurred by the surveyor for the purposes of the attendance |