



New South Wales

# Ports and Maritime Administration Amendment (Site Occupation Charges) Regulation 2010

under the

Ports and Maritime Administration Act 1995

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Ports and Maritime Administration Act 1995*.

PAUL MCLEAY, MP  
Minister for Ports and Waterways

## Explanatory note

The object of this Regulation is to provide for site occupation charges (the charges payable for the occupation of a wharf site by a vessel) to be based on the gross tonnage of the vessel or the amount of time for which the site is reserved or occupied, or both, as determined by the relevant port authority. At present, site occupation charges are based only on the amount of time for which the site is occupied.

This Regulation is made under the *Ports and Maritime Administration Act 1995*, including section 60 (2) (which allows the regulations to specify alternative methods for calculating how site occupation charges are calculated) and 110 (the general regulation-making power).

**2010 No 487**

Clause 1      Ports and Maritime Administration Amendment (Site Occupation Charges)  
                         Regulation 2010

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Ports and Maritime Administration Act 1995

**1 Name of Regulation**

This Regulation is the *Ports and Maritime Administration Amendment (Site Occupation Charges) Regulation 2010*.

**2 Commencement**

This Regulation commences on 1 September 2010 and is required to be published on the NSW legislation website.

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## **Schedule 1      Amendment of Ports and Maritime Administration Regulation 2007**

**[1] Part 2, Division 3, heading**

Insert “**and calculation of charges**” after “**particulars**”

**[2] Clause 14 Site occupation charges—particulars to be furnished and  
method of calculation**

Insert after clause 14 (1) (c):

- (c1) the gross tonnage of the vessel,

**[3] Clause 14 (3)**

Omit the subclause. Insert instead:

- (3) The site occupation charge is to be calculated by whichever of the following methods the relevant port authority considers is appropriate in the circumstances:
  - (a) by reference to the amount of time for which the site was reserved or occupied,
  - (b) by reference to the gross tonnage of the vessel,
  - (c) by reference to both the amount of time for which the site was reserved or occupied and the gross tonnage of the vessel.