



Queensland

# Transport Legislation Amendment Regulation (No. 1) 2010

## Subordinate Legislation 2010 No. 23

made under the

*Transport Infrastructure Act 1994*

*Transport Operations (Marine Safety) Act 1994*

## Contents

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		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	2
2	Commencement . . . . .	2
<b>Part 2</b>	<b>Amendment of Transport Infrastructure (Ports) Regulation 2005</b>	
3	Regulation amended . . . . .	2
4	Amendment of sch 2 (Port management) . . . . .	2
<b>Part 3</b>	<b>Amendment of Transport Operations (Marine Safety) Regulation 2004</b>	
5	Regulation amended . . . . .	3
6	Amendment of s 6 (References to length of ship) . . . . .	3
7	Insertion of new s 243 . . . . .	3
	243 Transitional provision for Transport Legislation Amendment Regulation (No. 1) 2010—pilotage fees . . . . .	3
8	Amendment of sch 10 (Fees, charges and related matters) . . . . .	4

[s 1]

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## **Part 1 Preliminary**

### **1 Short title**

This regulation may be cited as the *Transport Legislation Amendment Regulation (No. 1) 2010*.

### **2 Commencement**

- (1) Part 3, other than section 8(7), commences on 1 April 2010.
- (2) Section 8(7) commences on 1 October 2010.

## **Part 2 Amendment of Transport Infrastructure (Ports) Regulation 2005**

### **3 Regulation amended**

This part amends the *Transport Infrastructure (Ports) Regulation 2005*.

### **4 Amendment of sch 2 (Port management)**

Schedule 2, entry for port of Bundaberg—  
*omit, insert—*

‘Bundaberg Gladstone Ports Corporation Limited’.

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## Part 3                      Amendment of Transport Operations (Marine Safety) Regulation 2004

### 5            Regulation amended

This part amends the *Transport Operations (Marine Safety) Regulation 2004*.

### 6            Amendment of s 6 (References to length of ship)

Section 6(a), ‘, 19 and 20’—

*omit, insert—*

‘and 19’.

### 7            Insertion of new s 243

Part 11—

*insert—*

### ‘243      Transitional provision for Transport Legislation Amendment Regulation (No. 1) 2010—pilotage fees

‘(1) This section applies to a ship if—

- (a) the ship may carry more than 12 passengers under the ship’s registration certificate; and
- (b) the ship’s advertised program of port visits and fares for carrying individual passengers, for a period (the ***advertised period***) after the commencement of this section, was publicly available before 9 November 2009; and
- (c) the ship’s program of port visits includes more than 6 movements of the ship in any Queensland pilotage area during the advertised period.

‘(2) The general manager may, on written application by the owner or master of the ship, give an exemption from the payment of pilotage fees for the ship to the extent that the

[s 8]

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pilotage fees are calculated or decided under section 193 or schedule 10.

- ‘(3) The general manager may give the exemption for the ship only if the general manager is satisfied about the matters mentioned in subsection (1) in relation to the ship.
- ‘(4) The exemption applies in relation to movements of the ship on and after 1 April 2010 until the earlier of the end of either of the following—
  - (a) the advertised period;
  - (b) 30 September 2010.
- ‘(5) The pilotage fee for the services of a pilot, for a movement of the ship in a pilotage area during the period of the exemption, is the pilotage fee that would have been payable for the movement of the ship had it happened immediately before the commencement of this section.’

## **8 Amendment of sch 10 (Fees, charges and related matters)**

- (1) Schedule 10, section 19, heading, and section 19(1) and (2)—  
*omit, insert—*

## **‘19 Pilotage fees for arrival, departure or removal of a ship**

- ‘(1) This section sets the pilotage fees, under section 215 of the Act, for—
  - (a) a ship’s arrival at a pilotage area; or
  - (b) a ship’s departure from a pilotage area; or
  - (c) a ship’s removal to another berth or anchorage for a pilotage area.

‘(2) The fees are set out in the following table—

<b>Pilotage area</b>	<b>Minimum fee</b>	<b>&gt; 80 to 150m</b>	<b>&gt; 150 to 200m</b>	<b>&gt; 200 to 250m</b>	<b>&gt; 250m</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Abbot Point</b>	809.16	17.31	15.74	12.60	11.01
<b>Brisbane</b>	1 396.93	30.76	27.96	22.36	19.57
<b>Bundaberg</b>	812.85	17.64	16.05	12.84	11.23
<b>Cairns</b>	813.46	17.70	16.09	12.87	11.26
<b>Cape Flattery</b>	825.31	18.79	17.08	13.66	11.96
<b>Cooktown</b>	723.62	15.79	14.36	11.48	10.04
<b>Gladstone</b>	1 178.68	25.92	23.55	18.84	16.48
<b>Hay Point</b>	913.25	19.39	17.63	14.09	12.33
<b>Karumba</b>	728.65	16.25	14.77	11.81	10.34
<b>Lucinda</b>	806.70	17.08	15.53	12.42	10.87
<b>Mackay</b>	807.31	17.14	15.59	12.46	10.90
<b>Maryborough</b>	723.62	15.79	14.36	11.48	10.04
<b>Mourilyan</b>	807.93	17.20	15.63	12.51	10.95
<b>Port Alma</b>	802.63	16.71	15.19	12.16	10.64
<b>Port Douglas</b>	723.62	15.79	14.36	11.48	10.04
<b>Rockhampton</b>	802.62	16.71	15.19	12.16	10.64
<b>Skardon River</b>	723.62	15.79	14.36	11.48	10.04
<b>Southport</b>	723.62	15.79	14.36	11.48	10.04
<b>Thursday Island</b>	723.62	15.79	14.36	11.48	10.04
<b>Townsville</b>	815.31	17.86	16.25	12.99	11.37
<b>Weipa</b>	1 242.44	27.84	25.31	20.24	17.71’.

(2) Schedule 10, section 20—

*omit.*

(3) Schedule 10, section 21(2), table—

*insert—*

<b>‘Port Alma</b>	440.00’.
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[s 8]

(4) Schedule 10, section 22(2), table—

*insert—*

<b>Port Alma</b>	220.00’.
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(5) Schedule 10, section 24, ‘section 23’—

*omit, insert—*

‘section 22’.

(6) Schedule 10, sections 21 to 30—

*renumber* as schedule 10, sections 20 to 29.

(7) Schedule 10, section 19(2)—

*omit, insert—*

‘(2) The fees are set out in the following table—

<b>Pilotage area</b>	<b>Minimum fee</b>	<b>&gt; 80 to 150m</b>	<b>&gt; 150 to 200m</b>	<b>&gt; 200 to 250m</b>	<b>&gt; 250m</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Abbot Point</b>	890.08	19.05	17.32	13.85	12.11
<b>Brisbane</b>	1 536.63	33.83	30.76	24.60	21.53
<b>Bundaberg</b>	894.13	19.41	17.65	14.12	12.35
<b>Cairns</b>	894.81	19.47	17.70	14.16	12.39
<b>Cape Flattery</b>	907.84	20.67	18.79	15.03	13.15
<b>Cooktown</b>	795.99	17.36	15.79	12.63	11.05
<b>Gladstone</b>	1 296.55	28.51	25.91	20.73	18.13
<b>Hay Point</b>	1 004.58	21.33	19.40	15.50	13.56
<b>Karumba</b>	801.52	17.87	16.25	13.00	11.37
<b>Lucinda</b>	887.37	18.79	17.09	13.66	11.95
<b>Mackay</b>	888.04	18.85	17.15	13.71	11.99
<b>Maryborough</b>	795.99	17.36	15.79	12.63	11.05
<b>Mourilyan</b>	888.72	18.92	17.19	13.76	12.04
<b>Port Alma</b>	882.88	18.38	16.71	13.37	11.70
<b>Port Douglas</b>	795.99	17.36	15.79	12.63	11.05
<b>Rockhampton</b>	882.88	18.38	16.71	13.37	11.70
<b>Skardon River</b>	795.99	17.36	15.79	12.63	11.05

[s 8]

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<b>Pilotage area</b>	<b>Minimum fee</b>	<b>&gt; 80 to 150m</b>	<b>&gt; 150 to 200m</b>	<b>&gt; 200 to 250m</b>	<b>&gt; 250m</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>
<b>Southport</b>	795.99	17.36	15.79	12.63	11.05
<b>Thursday Island</b>	795.99	17.36	15.79	12.63	11.05
<b>Townsville</b>	896.84	19.65	17.87	14.29	12.51
<b>Weipa</b>	1 366.68	30.63	27.84	22.26	19.48'.

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#### ENDNOTES

- 1 Made by the Governor in Council on 25 February 2010.
- 2 Notified in the gazette on 26 February 2010.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport and Main Roads.

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