

**EXPLANATORY STATEMENT**

**STATUTORY RULES 1986 NO. 272**

**Issued by the Authority of the Minister for Transport**

**Subject: Navigation Act 1912**

Navigation (Cargo - Hazards Prevention) Regulations (Amendment)  
Navigation (Coasting Trade) Regulations (Amendment)  
Navigation (Compass) Regulations (Amendment)  
Navigation (Deck Cargo) Regulations (Amendment)  
Navigation (Pig Iron, Coal and Ballast) Regulations (Amendment)  
Navigation (Tonnage Measurement) Regulations (Amendment)

Sub-section 425(1) of the Navigation Act 1912 ('the Act') provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters providing for and in relation to the fixing of the fees to be paid in respect of any matters under the Act.

Fees payable under the Act for services provided to the maritime industry were last adjusted in October 1985.

In accordance with the Government's policy of cost recovery in relation to those services and as directed by the Minister for Finance, the Department has recently completed a detailed review of fees for services provided under the Act.

The Minister for Finance has accepted the proposed fee adjustments for 1986/87 as an appropriate step in a 5 year program to reach full cost recovery for services. Details of the amending Regulations are given in the following attachments:

Attachment 1	-	Navigation (Cargo-Hazards Prevention) Regulations
Attachment 2	-	Navigation (Coasting Trade) Regulations
Attachment 3	-	Navigation (Compass) Regulations
Attachment 4	-	Navigation (Deck Cargo) Regulations
Attachment 5	-	Navigation (Pig Iron, Coal and Ballast) Regulations
Attachment 6	-	Navigation (Tonnage Measurement) Regulations.

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## ATTACHMENT 4

### NAVIGATION (DECK CARGO) REGULATIONS

The Regulations amend the Navigation (Deck Cargo) Regulations as follows:

Regulation 1 provides that the Regulations come into operation on 1 October 1986.

Regulation 2 amends existing regulation 6 by:

- (a) replacing sub-regulation (6), which provided fixed fees for out of hours attendance by a surveyor, with a new sub-regulation (6) which provides that the hourly fee payable for such attendance is \$35, being the appropriate average overtime rate derived from the Marine Surveyors' Award, and sets a minimum fee of \$105 for work not continuous with ordinary hours, also in accordance with the Award; and
- (b) reducing the fee payable under sub-regulation (8) for causing a surveyor to wait to commence or continue a requested inspection of a ship from an hourly rate of \$86 to an hourly rate of \$70.