

Marine Safety (Fees) Regulations

Exposure Draft

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Victoria

Marine Safety (Fees) Regulations

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Part 1—Preliminary

1 Objective

The objective of these Regulations is to make provision for fees that may be charged under the **Marine Safety Act 2010** in relation to—

- (a) vessels; and
- (b) marine licences and endorsements; and
- (c) local knowledge certificates; and
- (d) pilotage.

2 Authorising provisions

These Regulations are made under sections 309, 310 and 312 of the **Marine Safety Act 2010**.

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Part 1—Preliminary

3 Commencement

These Regulations come into operation on 1 July 2021.

4 Definitions

In these Regulations—

commercial trading port has the same meaning as in the **Port Management Act 1995**;

declared port waters has the same meaning as in the Marine Safety Regulations 2012;

length has the same meaning as in the Marine Safety Regulations 2012;

the Act means the **Marine Safety Act 2010**.

Part 2—Fees

Division 1—Vessels

5 Fee for boating facilities and safety education

The fee payable for boating facilities and safety education for a vessel of a type specified in Column 2 of the following Table is the amount specified in Column 3 of the Table opposite that type of vessel.

Table

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Type of vessel</i>	<i>Column 3</i> <i>Fee</i>
1	For a recreational vessel up to and including 4·0 metres in length powered with an engine	2·9 fee units for each year
2	For a recreational vessel over 4·0 metres in length powered with an engine	6·05 fee units for each year

6 Fee for transfer of registration of a vessel

The fee payable by a person who acquires a registered vessel is 1·28 fee units.

Note

See regulation 18 of the Marine Safety Regulations 2012 for the obligations on a person acquiring a vessel.

7 Fee for special identification plate

The fee payable for the issue of a special identification plate in respect of a vessel is 1·28 fee units.

Note

See regulation 25 of the Marine Safety Regulations 2012 for the requirements and process for applying for the issue of a special identification plate.

Division 2—Marine licences and endorsements

8 Fee for grant or renewal of marine licence or endorsement

The fee payable for the grant, renewal or endorsement of a marine licence or restricted marine licence of a class specified in Column 2 of the following Table is the amount set out in Column 3 of the Table opposite that class of licence or endorsement.

Table

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item</i>	<i>Class of marine licence or endorsement</i>	<i>Fee</i>
1	General marine licence	2.5 fee units for each year
2	Restricted marine licence	1.25 fee units for each year
3	Endorsement on a general marine licence	\$5.10 for each year
4	Endorsement on a restricted operator licence	\$2.50 for each year

9 Fee for replacement marine licence

The fee payable for the issue of a replacement marine licence document to replace one which has been stolen, lost, damaged, destroyed, or rendered illegible in any way is 1.56 fee units.

Note

See regulation 49 of the Marine Safety Regulations 2012 for the requirements and process for issuing a replacement marine licence document.

10 Fee for search of records of marine licences

The fee payable to request a search of the records of marine licences and to obtain a certificate as to any matter appearing in the records in relation to the person requesting the search is \$6.60.

Note

See regulation 52 of the Marine Safety Regulations 2012 in relation to records of marine licences.

11 Marine licence knowledge test fee

A fee of 1.95 fee units must be paid to the Safety Director for a person to sit a test the person is required by the Safety Director to undergo under section 53(2), 54(2) or 55(5) of the Act.

12 Refund of fee on cancellation of marine licence

If the Safety Director cancels a person's marine licence under regulation 55(4) of the Marine Safety Regulations 2012, the Safety Director may refund part of the fee for the issue of the marine licence, calculated in accordance with the formula—

$$\frac{89}{100} \times \frac{A}{B} \times C$$

where—

A is the unexpired number of months of duration of the marine licence; and

B is the total number of months for which the marine licence was granted; and

C is the amount paid for the marine licence.

Division 3—Local knowledge certificates

13 Fee for issue or renewal of local knowledge certificate

A fee of 4·6 fee units must be paid to the Safety Director for the issue or renewal of a local knowledge certificate.

14 Fee for duplicate of local knowledge certificate

A fee of 4·6 fee units must be paid to the Safety Director for the issue of a duplicate of a local knowledge certificate.

15 Examination fees for local knowledge certificates

- (1) A fee of 3·34 fee units for each examination is payable by a person who sits a written examination conducted by or on behalf of the Safety Director for the issue of a local knowledge certificate.
- (2) A fee of 6·7 fee units for each examination is payable by a person who sits an oral examination conducted by or on behalf of the Safety Director for the issue of a local knowledge certificate.

Division 4—Pilotage

16 Fee for application for pilot licence

For the purposes of section 251(2)(b)(ii) of the Act, the prescribed fee is 1·54 fee units.

17 Fee for grant of pilot licence

A fee of 4·6 fee units must be paid to the Safety Director for the grant of a pilot licence.

18 Fee for duplicate of pilot licence

A fee of 4·6 fee units must be paid to the Safety Director for the issue of a duplicate of a pilot licence.

19 Examination fees for pilot licences

A person who sits an examination for the grant, variation or renewal of a pilot licence for the ports and channels described in Column 2 of the following Table must pay to the Safety Director the amount specified in Column 3 of the Table opposite that port or channel.

Table

<i>Column 1 Item</i>	<i>Column 2 Ports and channels</i>	<i>Column 3 Fee</i>
1	Port of Melbourne waters, Port of Hastings waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	105.5 fee units
2	Port of Melbourne waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	84.45 fee units
3	Port of Melbourne waters, Port of Hastings waters and declared port waters of the Port of Geelong	84.45 fee units
4	Port of Melbourne waters and declared port waters of the Port of Geelong	63.3 fee units
5	Port of Melbourne waters and Port of Hastings waters	63.3 fee units
6	Port of Melbourne waters and declared port waters of the Port of Portland	63.3 fee units
7	Declared port waters of the Port of Portland and Port of Hastings waters	42.2 fee units
8	Declared port waters of the port of Geelong and declared port waters of the Port of Portland	42.2 fee units

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Part 2—Fees

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Item</i>	<i>Ports and channels</i>	<i>Fee</i>
9	Port of Hastings waters and declared port waters of the Port of Portland	42.2 fee units
10	Port of Melbourne waters (both channels)	42.2 fee units
11	Port of Melbourne waters (one channel)	24.75 fee units
12	Declared port waters of the port of Geelong	24.75 fee units
13	Port of Hastings waters	24.75 fee units
14	Declared port waters of the port of Portland	24.75 fee units

20 Fee for application for grant or renewal of pilot exemption

- (1) For the purposes of section 253(2)(b)(ii) of the Act, the prescribed fee is 1.54 fee units.
- (2) In addition, a fee of 1.54 fee units must be paid to the Safety Director for considering an application for the renewal of a pilot exemption.

21 Fee for grant or renewal of pilot exemption

A fee of 4.6 fee units must be paid to the Safety Director for the grant or renewal of a pilot exemption.

22 Fee for duplicate of pilot exemption

A fee of 4.6 fee units must be paid to the Safety Director for the issue of a duplicate of a pilot exemption.

23 Fee for conduct of examination by the Safety Director for grant or renewal of pilot exemption

A person who sits an examination for the grant or renewal of a pilot exemption for the ports and channels described in Column 2 of the following Table must pay to the Safety Director the amount specified in Column 3 of the Table opposite that port or channel.

Table

<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Ports and channels</i>	<i>Column 3</i> <i>Fee</i>
1	Port of Melbourne waters, Port of Hastings waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	105.5 fee units
2	Port of Melbourne waters, declared port waters of the Port of Portland, and declared port waters of the Port of Geelong	84.45 fee units
3	Port of Melbourne waters, Port of Hastings waters and declared port waters of the Port of Geelong	84.45 fee units
4	Port of Melbourne waters and declared port waters of the Port of Geelong	63.3 fee units
5	Port of Melbourne waters and Port of Hastings waters	63.3 fee units
6	Port of Melbourne waters and declared port waters of the Port of Portland	63.3 fee units
7	Declared port waters of the Port of Portland and Port of Hastings waters	42.2 fee units
8	Declared port waters of the port of Geelong and declared port waters of the Port of Portland	42.2 fee units

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<i>Column 1</i> <i>Item</i>	<i>Column 2</i> <i>Ports and channels</i>	<i>Column 3</i> <i>Fee</i>
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10	Port of Melbourne waters (both channels)	42.2 fee units
11	Port of Melbourne waters (one channel)	24.75 fee units
12	Declared port waters of the port of Geelong	24.75 fee units
13	Port of Hastings waters	24.75 fee units
14	Declared port waters of the port of Portland	24.75 fee units

24 Application for registration as a pilotage services provider

For the purposes of section 240(2)(c) of the Act, the prescribed fee is 13.5 fee units.

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Endnotes

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2020 is \$14.81. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.