

# **NORTHERN TERRITORY OF AUSTRALIA**

## **DARWIN PORT CORPORATION (DARWIN MARINE SUPPLY BASE) REGULATIONS**

As in force at 25 January 2012

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# NORTHERN TERRITORY OF AUSTRALIA

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This reprint shows the Regulations as in force at 25 January 2012. Any amendments that commence after that date are not included.

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## DARWIN PORT CORPORATION (DARWIN MARINE SUPPLY BASE) REGULATIONS

### Regulations under the *Darwin Port Corporation Act*

#### 1 Citation

These Regulations may be cited as the *Darwin Port Corporation (Darwin Marine Supply Base) Regulations*.

#### 2 Definitions

In these Regulations:

**agreement** means the agreement relating to the operation of DMSB entered into by the Territory and the operator, as amended and in force from time to time.

**agreement date** means the date provided for in the agreement for the operator to commence operation of DMSB.

**Darwin Marine Supply Base** means the area of land and facilities provided by the Territory to the operator for the provision of offshore industry supply services.

**DMSB** is an acronym for Darwin Marine Supply Base.

**DPC** is an acronym for Darwin Port Corporation.

**major incident** means an occurrence which prevents, or significantly disrupts, the operation of DMSB.

##### *Examples*

- 1 *Obstruction of the shipping channel preventing access to the wharf at DMSB.*
- 2 *Obstruction of the wharf at DMSB preventing normal operations of the Base.*
- 3 *Obstruction of the road access to or from DMSB.*
- 4 *Structural damage to, or unsafe condition of, the wharf at DMSB.*
- 5 *Damage to equipment preventing normal operations of DMSB.*

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**offshore industry** means offshore oil and gas facilities, drilling platforms, pipe-laying vessels and other construction support vessels for the offshore oil and gas exploration, production and processing industries.

**offshore industry supplies** are goods and items carried to offshore industry by offshore industry support vessels.

*Examples*

- 1 Stores such as food, water, fuel, chemicals, drilling mud.
- 2 Equipment such as drilling equipment.
- 3 Production spares.
- 4 Pipeline construction materials.
- 5 Prefabricated modules or elements for construction of facilities for offshore industry.

**offshore industry supply services**, see regulation 3.

**offshore industry support vessel** includes offshore support vessels, anchor handling tug supply vessels and similar support vessels involved in offshore industry.

**operator** means the person or group of persons responsible under the agreement for operating DMSB and:

- (a) if the operator is a person – includes the successors and assignees of the person; and
- (b) if the operator is a group of persons – includes a member of the group and the successors and assignees of the group and of a member of the group; and
- (c) includes a contractor or other person acting for or on behalf of the operator.

### **3 Meaning of offshore industry supply services**

- (1) Offshore industry supply services means:
  - (a) the services of transshipping personnel and offshore industry supplies to or from offshore industry; and
  - (b) servicing and supporting offshore industry support vessels.
- (2) Offshore industry supply services may also include handling general cargo if that cargo is ancillary to offshore industry supplies.
- (3) However, offshore industry supply services do not include non-wharf face activities such as pilotage and mooring.

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#### **4 DPC may not perform certain functions**

- (1) Subregulation (2) applies if:
  - (a) the operator has entered into the agreement with the Territory for the provision of offshore industry supply services from DMSB on and from the agreement date; and
  - (b) on or after the agreement date the operator is ready and able to provide offshore industry supply services; and
  - (c) the agreement remains in force.
- (2) On and from the agreement date, DPC may not perform the functions mentioned in section 16(2)(a)(iv), (vii), (viii) and (x) of the Act in relation to offshore industry supply services.
- (3) Despite subregulation (2), DPC may perform the functions mentioned in section 16(2)(a)(iv), (vii), (viii) and (x) of the Act in relation to offshore industry supply services if:
  - (a) the operator is unable to provide offshore industry supply services because:
    - (i) there is a major incident; or
    - (ii) there has been a delay of 24 hours or more in accommodating an offshore industry support vessel at DMSB wharf; or
  - (b) the operator requests DPC to perform one or more of the functions on a temporary basis; or
  - (c) the offshore industry supplies in relation to which DPC performs the function are only ancillary to a general cargo.

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## ENDNOTES

### 1

#### KEY

Key to abbreviations

amd = amended  
app = appendix  
bl = by-law  
ch = Chapter  
cl = clause  
div = Division  
exp = expires/expired  
f = forms  
Gaz = Gazette  
hdg = heading  
ins = inserted  
lt = long title  
nc = not commenced

od = order  
om = omitted  
pt = Part  
r = regulation/rule  
rem = remainder  
renum = renumbered  
rep = repealed  
s = section  
sch = Schedule  
sdiv = Subdivision  
SL = Subordinate Legislation  
sub = substituted

### 2

#### LIST OF LEGISLATION

***Darwin Port Corporation (Darwin Marine Supply Base) Regulations (SL No. 1, 2012)***

Notified	25 January 2012
Commenced	25 January 2012