



POLICY 6-3-1

VERSION 2

AUSTRALIAN DEFENCE FORCE VESSELS

Approved: Derek Andrews
Chief Executive Officer

Date: 28/9/1999

PURPOSE:

To document the charges payable by Australian Defence Force Vessels for services provided by the Ports Corporation.

POLICY FRAMEWORK:

The Ports Corporation's charges are outlined in the Port Rules and Charges for each port.

Legislation prevents the Ports Corporation from charging the Australian Defence Force Vessels for certain services.

APPLICATION:

This policy applies to all Ports Corporation ports.

POLICY:

The Ports Corporation will provide access to its facilities provided the facilities are not required for the loading or unloading of cargo. The relevant defence force agency would be expected to have provided a suitable indemnity to the Corporation prior to the visit.

Section 70(a) of the *Defence Act 1903 (Cth)* states that: "No toll or due, whether demandable by virtue of any Act or State Act or otherwise, at any wharf, landing place, aerodrome, bridge gate or bar on a public road shall be demanded or taken in respect of any member of the Defence Force on march or duty or any prisoner under his charge."

The effect of section 70 is to prohibit any authority from charging harbour dues, berthage and wharfage to Defence Force units.

With respect to the provision of other services such as towage, pilotage, water, electricity, or any other assistance provided by Ports Corporation employees, the Ports Corporation charges as outlined under the Port Rules and Charges apply.

PROCEDURAL IMPLICATIONS:

This policy may need to be amended if legislative requirements change.

SUNSET CLAUSE:

To be reviewed if conditions under legislation change.

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