



# DRAFT DETERMINATION

*Fair Work Act 2009*

s.156 - 4 yearly review of modern awards

## **4 yearly review of modern awards**

(AM2016/5)

## **MARINE TOWAGE AWARD 2010**

[MA000050]

Port authorities

VICE PRESIDENT HATHCHER  
DEPUTY PRESIDENT GOOLEY  
COMMISSIONER CAMBRIDGE

SYDNEY, XX MONTH 2017

*Four yearly review of modern awards – Marine Towage Award 2010– Coverage of Award.*

A. Further to the Full Bench Decision [[\[2017 FWCFB 1138\]](#)] issued on 24 February 2017, the above award is varied as follows:

1. By inserting the word “and” at the end of clause 4.1(a).
2. By deleting clause 4.1(b).
3. By renumbering clause 4.1(c) as 4.1(b).
4. By deleting the word “; and” and inserting a full stop in renumbered clause 4.1(b).
5. By deleting clause 4.1(d).
6. By updating cross-references accordingly.

B. This determination comes into operation from XX Month 2017. In accordance with s.165(3) of the *Fair Work Act 2009* this determination does not take effect until the start of the first full pay period that starts on or after XX Month 2017.

VICE PRESIDENT

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# DRAFT DETERMINATION

*Fair Work Act 2009*

s.156 - 4 yearly review of modern awards

## **4 yearly review of modern awards**

(AM2016/5)

## **PORTS, HARBOURS AND ENCLOSED WATER VESSELS AWARD 2010**

[MA000052]

Port authorities

VICE PRESIDENT HATCHER  
DEPUTY PRESIDENT GOOLEY  
COMMISSIONER CAMBRIDGE

SYDNEY, XX MONTH 2017

*4 yearly review of modern awards – Ports, Harbours and Enclosed Water Vessels  
Award 2010 – Coverage of award.*

A. Further to the Full Bench Decision [[\[2017 FWCFB 1138\]](#)] issued on 24 February 2017, the above award is varied as follows:

1. By deleting clause 4.1(b).
2. By renumbering clauses 4.1(c) to 4.1(g) as 4.1(b) to 4.1(f).
3. By renumbering clauses 4.2 to 4.8 as 4.3 to 4.9.
4. By inserting a new clause 4.2 as follows:

**4.2** The award does not cover employees engaged in the operation of:

- (a) vessels as defined in clause 3.1 of the *Seagoing Industry Award 2010* and who are employed in the classifications in clause 13 and clause 25 of that award.
- (b) vessels engaged in operations as described in clause 4.3(b) of the *Marine Towage Award 2010*.

5. By updating cross-references accordingly.

B. This determination comes into operation from XX Month 2017. In accordance with s.165(3) of the *Fair Work Act 2009* this determination does not take effect until the start of the first full pay period that starts on or after XX Month 2017.

VICE PRESIDENT

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# DRAFT DETERMINATION

*Fair Work Act 2009*

s.156 - 4 yearly review of modern awards

## 4 yearly review of modern awards

(AM2016/5)

## SEAGOING INDUSTRY AWARD 2010

[MA000122]

Port authorities

VICE PRESIDENT HATCHER  
DEPUTY PRESIDENT GOOLEY  
COMMISSIONER CAMBRIDGE

SYDNEY, XX MONTH 2017

*Four yearly review of modern awards – Seagoing Industry Award 2010 – Coverage of Award – Changes to classifications.*

A. Further to the Full Bench Decision [[\[2017 FWCFB 1138\]](#)] issued on 24 February 2017, the above award is varied as follows:

1. By deleting the words “*Navigation Act 1912*” in clause 2.1 and inserting the words “*Navigation Act 2012*” wherever it appears.
2. By inserting the following definition in clause 3.1 in alphabetical order:  
  

**Electrician** means a person with a trade certificate as Electrical fitter (or equivalent) but who does not hold an Electro-technical officer certificate
3. By deleting clause 4.4(d)(iii).
4. By renumbering clauses 4.4(d)(iv) to 4.4(d)(vii) as 4.4(d)(iii) to 4.4(vi).
5. By deleting renumbered clause 4.4(v).
6. By renumbering clauses 4.4(v)(i) and 4.5 as clauses 4.4(v) and 4.6 respectively.
7. By inserting a new clause 4.5 as follows:

**4.5** This award does not cover the operation of:

- (a) vessels as described in clause 4.1 of the *Ports, Harbours and Enclosed Water Vessels Award 2010*;

(b) vessels engaged in operations as described in clause 4.3(b) of the *Marine Towage Award 2010*.

8 By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(a).

9. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(a).

10. By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(b).

11. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(b).

12. By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(c).

13. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(c).

14. By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(d).

15. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(d).

16. By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(e).

17. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(e).

18. By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(f).

19. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(f).

20. By inserting the words “Electro-technical officer” after the words “Second mate/Second engineer” in the table in clause 13.1(g).

21. By inserting the word “Electrician” after the words “Third mate/Third engineer” in the table in clause 13.1(g).

22. By deleting the words “*Navigation Act 1912*” in clause 13.2 and inserting the words “*Navigation Act 2012*”.

23. By deleting the words “*Navigation Act 1912*” in clause 14.6(b) and inserting the words “*Navigation Act 2012*”.

24. By deleting the words “*Navigation Act 1912*” in clause 14.8(a)(ii) and inserting the words “*Navigation Act 2012*”.

25. By deleting the words “*Navigation Act 1912*” in clause 14.10 and inserting the words “*Navigation Act 2012*”.

26. By deleting the words “*Navigation Act 1912*” in clause 18.5(a)(iii) and inserting the words “*Navigation Act 2012*”.

27. By deleting the words “*Navigation Act 1912*” in clause 22.2 and inserting the words “*Navigation Act 2012*”.

28. By updating cross-references accordingly.

B. This determination comes into operation from XX Month 2017. In accordance with s.165(3) of the *Fair Work Act 2009* this determination does not take effect until the start of the first full pay period that starts on or after XX Month 2017.

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