



SOUTHERN PORTS

ALBANY BUNBURY ESPERANCE

**MANAGEMENT STANDARD
STEVEDORE LICENSING
AND RING FENCING**

DOCUMENT CONTROL

Version Number	Description	Reviewed by	Approved by	Revision Date	Issue Date
01	Policy	CEO	Board on 21/02/2019	06/02/2019	13/06/2019
02	Revised and converted to a Management Standard	Corporate Governance Officer	CEO	19/01/2022	01/02/2022

AUDIT

This Management Standard shall be reviewed / revised:

- Where a Risk Assessment / Audit identifies a need to review;
- Legislative changes impacting this Management Standard;
- Following a significant incident involving this Management Standard; or
- At least every 2 years.

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DEFINITIONS

None

1. OBJECTIVE

Southern Ports takes its obligation to comply with those laws and regulations relevant to its business seriously (including its obligations under competition law as set out in the *Competition and Consumer Act 2010 (Cth)*).

This Management Standard helps to ensure that Southern Ports' conduct does not substantially lessen competition in the market for stevedoring services at the Port of Esperance. It does this by outlining Southern Ports':

- a) approach to exercising its statutory power to issue and monitor licences for the provision of stevedoring services (**Licensing Power**); and
- b) commitment to measures to assist in the appropriate separation of the exercise of its Licensing Power, and to itself provide stevedoring services, at Port of Esperance.

In the event that Southern Ports sought to provide stevedoring services at the Port of Albany or Port or Bunbury, a similar Management Standard would be introduced at those ports.

2. SCOPE

This Management Standard applies to all Southern Ports staff.

3. EFFECTIVE DATE

This Management Standard is effective from 1 February 2022.

4. STATEMENT

Southern Ports is committed to:

- its conduct not substantially lessening competition in the market for stevedoring services at the Port of Esperance by way of the following;
 - generally speaking (that is, without fettering the proper exercise of its statutory discretions):
 - issuing a stevedoring services licence to any appropriately qualified and experienced stevedore services provider that a licensed Port of Esperance user may wish to use for its product and/or that may wish to offer its stevedoring services to licensed Port of Esperance users; and
 - monitoring the provision of stevedoring services to licensed Port of Esperance users in a consistent manner, whether provided by a third party stevedore services provider or by itself; and
 - implementing and maintaining measures to assist in the appropriate separation of the exercise of its Licensing Power, and to itself providing stevedoring services, at Port of Esperance;
- complying with all applicable legislation;
- making this Management Standard and related Procedure available to all employees of Southern Ports and interested third parties, including third party stevedoring services providers;
- periodically reviewing this Management Standard; and
- ensuring this Management Standard and procedure, communicated and implemented.

5. RESPONSIBILITIES

The Chief Executive Officer, members of the Executive Leadership Team and delegated staff members are responsible for ensuring Southern Ports' compliance with this Management Standard. The Chief Executive Officer is responsible for ensuring this Management Standard is effectively communicated to all Southern Ports staff.

6. REVIEW OF MANAGEMENT STANDARD

A review of the effectiveness and relevance of this Management Standard will be conducted every second year on the anniversary of the Issue Date (unless there is a major legislative change or other material matter that necessitates an earlier review in the opinion of the Chief Executive Officer or a member of the Executive Leadership Team).

7. PROCEDURE

Various procedures have been implemented by Southern Ports to facilitate the implementation of this Management Standard. Further details are contained in the Stevedoring Licensing and Ring Fencing Procedure in Annexure A.

8. RELATED LEGISLATION AND DOCUMENTS

The applying legislation and documents include, but are not limited to the following:

- *Port Authorities Act 1999 (WA)*;
- *Port Authorities Regulations 2001 (WA)*; and
- *Competition and Consumer Act 2010 (Cth)*.

9. ANNEXURE

Annexure A – Stevedoring Licensing and Ring Fencing Procedure

ANNEXURE A – STEVEDORE LICENSING AND RING FENCING PROCEDURE