



Australian Government
Australian Maritime Safety Authority

WORKING BOATS

Autumn 2016 Issue 9

In this issue

- **HOW WILL AMSA DELIVER SERVICES FROM 1 JULY 2017?**
- **M.V. NIGHT CROSSING**
- **GENERAL SAFETY DUTIES**

WORKING BOATS

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Front cover image
M.V. Night Crossing.

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ON THE SAME WAVE WITH INDUSTRY

In developing our approach to the National System, our vision is to improve safety culture, simplify the regulations and provide good customer service.

Since July 2013 when the National Law commenced, AMSA has made progress in streamlining the regulations. But not only do we want to make the rules more practical, we also want to make your requirements under the National Law easy to follow. We accept that this is a work in progress.

How will AMSA deliver services? outlines how we will provide customer service to the domestic commercial vessel industry from 1 July 2017. Of course we couldn't do this without the help of organisations who have long served commercial vessels in their regions, and have built invaluable relationships and knowledge that assist AMSA to deliver the National System for Domestic Commercial Vessel Safety. In this issue we profile one of these organisations, the Western Australian Fishing Industry Council.

We are also developing resources to help people navigate their requirements. For example, we are placing an emphasis on the need for owners, operators and crew to comply with safety requirements. Find out what applies to you in *General safety duties*.

One particular requirement under the general safety duties for owners and operators, is the need to assess the risks in their operation and to develop a safety management system (SMS). Due to each operation being different, each SMS is going to be different. Our feature article this issue — *M.V. Night Crossing* — talks about how owner-operators Raymond and Georgia address some of the risks in their charter operation, which takes guests 120 nautical miles off the coast of Queensland to fish and dive off Swain Reefs.

Risks are extremely varied. *Addressing human factors* talks about how changes to our surroundings allows us to do things quicker and easier, and we can better manage and recover from mistakes. *Lessons learnt: crew positioning* gives us an unfortunate example of what can happen when this isn't the case.

Happy reading,

Mick Kinley
AMSA Chief Executive Officer



HOW WILL AMSA DELIVER

SERVICES

FROM 1 JULY 2017?

While introducing a single national system for the regulation of domestic commercial vessels (DCVs) will improve safety, we know that regulation alone cannot eliminate every risk.

Underpinning the National System for Domestic Commercial Vessel Safety (National System) is the recognition that it's the owners, operators and crew of DCVs who are best placed to manage the risks faced. AMSA's role is to provide support where needed.

With this in mind, AMSA's blueprint for the delivery of National System services from 1 July 2017 is built on the principles of education, collaboration, red tape reduction and putting the onus on individuals to understand the value in actively promoting safety — from complying with their regulatory responsibilities right through to fostering a culture of safety in their industry.

What will change from 1 July 2017?

Currently, even though AMSA is responsible for regulating domestic commercial vessels (DCVs) across Australia, the way you get your services — such as certificates and vessel IDs, undertaking surveys and the fees associated with these services — is not the same around the country. Those services are currently delivered by each state and territory, which sets its own procedures and fees for these services.

In November 2014, Commonwealth, State and Territory Transport and Infrastructure Ministers unanimously agreed that AMSA be positioned to take up service delivery by July 2017 under the 'one system, one process and one decision maker' principle.

From 1 July 2017, not only will the rules and standards for DCVs be consistent across Australia, but the way you receive services (and the fees for those services) will also be the same across Australia, regardless of where you operate.

The types of services and support AMSA will provide under the National System are set out on the next page.

CERTIFICATION AND ACCREDITATION SERVICES

Certification services will be provided to crew, vessel operators, vessel owners and marine surveyors.

Certificate of Competency (CoC) — All crew will still need to have the appropriate skills, competencies and other additional requirements, depending on the CoC they seek. These additional requirements may include a qualification; qualifying sea service and workplace experience (guided by task books); and medical and eyesight fitness standards.

You can undertake nationally recognised training at Registered Training Organisations (RTOs).

Certificate of Survey (CoS) — If your vessel is a new vessel and requires a CoS, it will require an initial survey before it is able to start operating commercially. This will need to be done by an AMSA-accredited marine surveyor, who will then provide a survey report to AMSA advising whether a CoS should or should not be issued. If they are not satisfied that your vessel complies with the relevant regulations and vessel standards, they will let you know what you need to do to the vessel to meet these requirements and you will need to have the vessel assessed again by an accredited surveyor once the prescribed work has been carried out.

If your vessel does not require a CoS, you may still need to have your vessel assessed and approved before operating commercially.

Periodic survey — Your vessel may need a periodic survey or inspection to make sure it is fit for purpose. AMSA will let you know when you need to have your vessel surveyed or inspected. When this happens you will need to contact an accredited marine surveyor to carry out the inspection.

Unique vessel identifiers — If your vessel is new, you will need to get a unique vessel identifier (UVI) when your vessel is approved to operate commercially. If your vessel doesn't have a UVI, you can either make a separate application, or a UVI will be issued the first time you obtain a certificate or other approval from AMSA.

Marine surveyors must be accredited under the Marine Surveyor Accreditation Scheme

— Although marine surveyors will be working privately under the National System, they must be accredited under AMSA's Marine Surveyor Accreditation Scheme in order to survey vessels and provide survey reports to AMSA.

Certificate of Operation (CoO) — AMSA will be responsible for issuing CoOs.

To apply for a CoO, you will need to complete an application form along with providing any required information about your operation.

AMSA will need to be satisfied by your application that you have the competence and capacity to ensure the safe operation of the vessels. This includes the need to show evidence of an SMS for the vessels.

AMSA will not issue you with a CoO if it is not satisfied that you are a fit and proper person.

CoO holders must meet specific conditions and standards that apply through their CoO. These may include:

- the kinds of vessels that are authorised for use under the CoO
- specific procedures that must be implemented (e.g. emergency procedures)
- the number of crew required on board to carry out the operation safely, and the kinds of CoCs that they hold
- the number of people that may be on board (e.g. passengers).

AMSA may decide to approve your CoO application but impose additional conditions on your CoO in order to address or mitigate risks that are specific to your operation.

COMPLIANCE SERVICES

AMSA's compliance and enforcement approach will be a contemporary one, with a focus on education and collaboration with industry to achieve compliance with the National Law.

For those who don't comply with their obligations under the law, AMSA's response may be to use more traditional means of compliance, including:

Marine safety inspections and surveillance — On-water surveillance and investigation carried out by Marine Safety Inspectors (MSIs).

MSIs can exercise their powers on the spot and can also report and recommend actions such as infringements or prosecutions.

Incident reporting and investigation — All incidents are recorded and followed up with ongoing investigation, reporting and resolution.

Notices and penalties — The type of notice or penalty issued depends on the seriousness and frequency of the breach.

Prosecutions — AMSA has the power to prosecute extremely non-compliant behaviour, or when non-compliance gives rise to extreme risk.

SETTING STANDARDS

AMSA will continue to review the National Law and related standards to ensure that they remain contemporary and appropriate.

SAFETY EDUCATION

AMSA will also continue to develop and provide safety guidance and information and technical assistance. These will be made available through various channels, including online, printed material, learning modules and face-to-face assistance.

APPROVED PARTNERS

Selected third parties will be authorised to deliver some National System services, including:

- accredited marine surveyors, who will conduct vessel surveys
- registered training organisations, which will deliver qualifications to crew and may also assist in the assessment of CoC applications
- State and Territory MSAs, fisheries agencies and police may be engaged to carry out marine safety inspections on behalf of AMSA.

WHAT WILL IT COST?

From 1 September 2016, fees will be introduced to partly recover the costs associated with assessing and processing applications. Read more about this on page 21.

Current funding and service delivery arrangements will remain in place until 1 July 2017.

From July 2017, fees will be standardised across Australia. This means costs may rise or fall depending on your location and operation.

In the lead up to this date, AMSA will work with, and consult, industry about the cost structure and fees associated with running the National System.

HOW DO I FIND OUT MORE ABOUT THE TRANSITION?

AMSA will notify you about what will change and when and how to access the services you need.

Information, news, resources, updates, upcoming consultation sessions and consultation reports are available via:

- www.amsa.gov.au/domestic under 'Transition of service delivery'
- *Domestic Vessels e-News*
- *Working Boats* magazine
- Your local marine safety agency.

GENERAL SAFETY DUTIES

Anyone who has anything to do with a DCV must observe the general safety duties. The specific duties that apply to you depend on your role. You can read more about the general safety duties and the safety responsibilities associated with each role on page 12.

A key duty of all DCV owners is to assess the risks in their operation and to develop an SMS. AMSA strongly encourages industry to understand the value of the SMS and to actively cultivate a culture of safety, independently of the regulatory obligation.

Safety Management Systems

Your SMS is where you:

- identify the risks and hazards in your operation
- develop and implement processes and procedures that you, the master and crew plan to implement to manage those risks
- describe the processes by which you, the master and crew identify new risks, and
- describe what you, the master and crew plan to do if a risk turns into reality.

When you put your SMS into practice, it should be reflected in your everyday procedures, including the way crew are inducted and trained, the way vessels are maintained, how daily work is carried out by everyone on board and how improvements are made to safety practices and procedures.

Each DCV operation is different, which is why individual owners are best placed to identify the risks and hazards in their operation and how they can be managed. But while AMSA encourages DCV operators and crew to take on the responsibility for their own safety by considering all the risks in their operation and implementing an SMS, AMSA also recognises that guidance assists operators to create an effective SMS.

Guidance to carry out a risk assessment and develop an SMS include:

Online

- Sample SMSs for a number of different types of operation
- A guide on how to identify and mitigate risks, and include these in your SMS
- Ideas for developing and writing emergency procedures

These are available on the AMSA website at www.amsa.gov.au/domestic under 'Operations'.

Workshops

SMS workshops are held on a regular basis throughout the country. To check where the workshops are being held next, go to www.amsa.gov.au/domestic under 'Training'.

AMSA Liaison Officers

AMSA Liaison Officers in each state and territory can also assist you with any queries you have about your SMS.

Over time AMSA will notify you as more guidance material and learning modules become available to assist you develop an SMS and instill a culture of safety aboard your vessel.

Demonstrating SMS compliance

AMSA may ask you to show evidence that you are complying with the general safety duties and have an SMS in place. This may be:

- when you are applying for a certificate of operation (to make sure that you will operate your vessels safely)
- if an incident occurs in your operation (including near misses and minor accidents), or we receive advice that you are not complying with SMS requirements, or
- as a part of AMSA's inspections of vessels and operations under the National Law.
- When AMSA assesses whether you have an adequate SMS in place, they may ask (among other things):
- to see evidence that shows you have done a risk assessment and thought about how to minimise or eliminate risks or hazards
- you to demonstrate safety procedures such as crew briefings, inductions, safety procedures and emergency drills.



M.V.

NIGHT CROSSING

Under the National System all operators are required to consider the risks in their operation and come up with ways of dealing with them. When you are 120 nautical miles offshore and your passengers are on a reef system that looks the same to the untrained eye, you don't want to leave any risk to chance.



Raymond briefing passengers once they have arrived at Swain Reefs

The vessel *M.V. Night Crossing* is owned and operated by Gladstone Coral Charters, a family business that offers 6–7 day fishing charter trips to the Great Barrier Reef and the Coral Sea. It can carry up to 18 guests at any given time in addition to 6 crew members.

M.V. Night Crossing takes guests largely to Swain Reefs on the outer rim of the Great Barrier Reef, about 120 nm offshore from Gladstone. When they get there guests with recreational boat licences can then take one of the 6 tenders to go fishing or diving.

We talked to owner–operators Raymond and Georgia Gleeson about some of the ways they manage the safety of their passengers, crew and the vessel.

‘Our safety management system (SMS) enables us to keep ahead of issues that might arise, for example with passengers, crew, the vessel itself, or as a result of other conditions,’ said Raymond, who followed on from his father in the family business and is now joined by his wife Georgia and his son Cody.

Raymond explained that having a low turnover of crew plays a big part in offering a quality service and ensuring safety.

‘Having a stable arrangement with our Masters and crew is important to us. Each charter is crewed by one Master and 3 or 4 deckhands. Our Masters are permanent employees and only about 50 per cent of our deckhands change each season.’

‘When we do vessel safety drills, crew members raise any issues that they think might arise in the future or be of concern, and we then look at how we can best address those risks’

‘We make sure our crew have the relevant maritime qualifications. We also conduct at-sea training, where we provide constructive feedback on their real-time reactions to situations. This experience is incredibly valuable for them as it allows them to learn a lot from different situations, which makes them better prepared in future.’

Raymond explained that the crew also play an important part in developing and maintaining their SMS.

‘When we do vessel safety drills, crew members raise any issues that they think might arise in the future or be of concern, and we then look at how we can best address those risks,’ he said.

‘The benefit of this is that we have a constant eye on new risks that arise. Also, the crew understand how the SMS contributes to safety and they know how to respond to events.’

‘The benefit of this is that we have a constant eye on new risks that arise. Also, the crew understand how the SMS contributes to safety and they know how to respond to events.’

An essential part of the SMS aboard *M.V. Night Crossing* is to educate passengers on safety protocols, rules and general housekeeping.

‘Upon departure we conduct a safety briefing (such as muster drills, the location of life jackets and how to use them). We also give passengers an introduction to the *M.V. Night Crossing*; covering topics like rubbish, fishing regulations, and marine parks. Then when we get to the destination we give all passengers a safety induction on the use of the tender and all of the equipment onboard them, as well as a description of the intended fishing area, the weather and return time. We also check recreational boat licenses before letting passengers go out on a tender,’ said Raymond.

‘We specialise in fishing from above the water and do very few dive trips, but when we do, the dive groups have to bring their own dive instructor who is familiar with the group and their abilities.’

On *M.V. Night Crossing* and each of the tenders, Raymond and Georgia have installed communication equipment that meets regulatory requirements as well as their own high standard of safety.

‘Onboard the *M.V. Night Crossing* we carry the mandatory radio equipment such as HF radio. We also have four VHF radios (two used just for monitoring the tender traffic), along with automatic identification system (AIS) transceivers, and a satellite phone,’ said Raymond.

‘We trialled various types of tracking systems for our tenders but battery life was a problem. In the end we installed hard-wired radios and AIS to all 6 tenders, which are received on board the *M.V. Night Crossing*’s AIS. We monitor the positions of the tenders at all times using the equipment, in addition to constant visual observation from the mother ship.’

Raymond says that working so far offshore does present certain circumstances that could lead to a dangerous situation, such as interaction with shipping, whales, and the reef itself.

‘The advantage is that we are aware of the situations that can occur. We have a good watch-keeping practice and vigilant crew. This is a part of our SMS and our approach to minimising risks,’ he said.



‘The advantage is that we are aware of the situations that can occur. We have a good watch-keeping practice and vigilant crew. This is a part of our SMS and our approach to minimising risks.’



‘Severe weather can also be a risk. We operate from March to December so we tend to miss the severe weather of the cyclone season, but we do encounter weather that you need to take seriously and there are times that we decide to delay departure or to return early to make travelling more comfortable for everyone.’

In the event of a medical emergency Raymond explains they liaise with medical staff ashore via satellite phone, who then make the decision on the treatment required.

‘We have a well-resourced first aid kit and certificates in first aid, but in an emergency we have access to the Capricorn Rescue Helicopter based in Rockhampton. For non-urgent situations we have also evacuated guests and crew out by seaplane from Gladstone,’ he said.

The *M.V. Night Crossing* is well prepared for all the risks they come up against and this is partly what makes their operation so successful, with bookings made up to 2 years in advance. But that’s not what draws customers.

‘The remoteness of the destination and the chance of catching a reef fish is what many people consider to be a trip of a lifetime,’ said Georgia.

‘There is always something remarkable to see — from the bird life to the pelagic fish, to the sharks hanging around when we are processing the fish.

A favourite of most passengers is the whale migration north each year. Passengers and crew alike find this to be an awesome experience,’ she said.

GENERAL SAFETY

DUTIES

Under the National Law, everyone working, travelling on, or servicing domestic commercial vessels has to observe the general safety duties.



General safety duties according to role

The safety duties that apply to you depends on your role on the vessel. The table below outlines the responsibilities for different roles.

Table Key of Roles

○ Owner
 ○ Master
 ○ Crew
 ○ Passenger
 ○ Designers / Builders / Suppliers
 ○ Other People

Safety duties	
○ ○	Ensure the safety of the vessel, marine safety equipment, and the operation of the vessel
○	Provide and maintain the vessel so that it is safe
○	Implement and maintain a safety management system (SMS) that ensures that the vessel and its operations are safe
○	Implement and comply with an SMS that ensures that the vessel and its operations are safe
○	Provide information, instruction, training or supervision to people on board the vessel necessary to ensure safety
○ ○	Do not operate, or cause the vessel to be operated, if it is unsafe
○ ○ ○ ○	Do not prevent or restrict the master of the vessel from making or implementing a decision that, in the professional opinion of the master, is necessary for the safety of a person or the vessel

Safety duties	
○	Ensure the vessel or equipment is safe if used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, maintained, repaired or modified, and/either: <ul style="list-style-type: none"> carry out testing and examination necessary to ensure safety of the vessel, or ensure that such testing and examination has been carried out
○ ○ ○ ○	Take reasonable care for own safety
○ ○ ○	Take reasonable care for the safety of persons who may be affected by acts or omissions
○ ○ ○	Comply with reasonable and lawful directions (of the master and crew)
○ ○ ○	Do not unreasonably place safety of another person at risk
○ ○ ○	Do not unreasonably interfere with or misuse anything provided on the vessel in the interest of the safety of the vessel
○	Do not do an act, or omit to do an act that may cause the loss, destruction of or serious damage to a vessel
○	Take actions to prevent loss of, destruction of, or serious damage to, a vessel



Why follow the general safety duties?

Under the National Law, the general safety duties are a legal requirement for everyone working, travelling on, or servicing domestic commercial vessels.

The benefits of fulfilling your safety duties include:

- **Immediate safety**

You are taking appropriate action to minimise risks for yourself, those around you and the vessel.

- **Shared safety**

Each person following their safety duties contributes to a broader level of safety shared by everyone working, travelling or servicing domestic commercial vessels.

- **Valuable knowledge**

When you move between vessels or jobs, you already understand your safety duties.

How does AMSA check whether I am practicing the general safety duties?

AMSA and marine safety agencies can ask you to show evidence that you are complying with your general safety duties at any time. This may be:

- at the time you apply for a certificate of operation (CoO). When assessing whether to issue you a CoO AMSA may ask for information on how you make sure your vessel is safe for others, that the vessel's marine safety equipment is maintained and accessible and the vessel is operated safely. This may involve reviewing your SMS, or inspecting your vessel
- if an incident occurs in your operation (including near misses and minor accidents), or AMSA receives advice that you are not complying with your general safety duties
- during the conduct of AMSA's random compliance and enforcement activities under the National Law.

You may also be asked to demonstrate that you have thought about the risks and hazards in your operation and taken steps to eliminate or minimise these.

To determine whether you have done this, they may ask for evidence showing that you have undertaken a risk assessment and other safety tasks such as crew briefings, inductions, training on safety procedures and emergency drills.



My vessel is under grandfathering arrangements. Do the general safety duties apply to me?

Yes. The general safety duties apply to all domestic commercial vessels.

How do I prepare a safety management system and put it into practice?

One of the key general safety duties of the vessel owner is to implement and maintain an SMS. Similarly, a master is required to implement and comply with an SMS.

Your SMS must address the specific risks and conditions for your vessel, operation, area of operation and crew.

It's a good idea to invite your master and crew to help identify all the risks in your operation. This encourages everyone to think about their specific role in ensuring the safety of the vessel and its operations.

Read about how to create and implement an SMS in the Safety management systems factsheet on AMSA's website.

More information

For more information about the general safety duties:

- visit **www.amsa.gov.au/domestic**
- read the Advisory on the general safety duties for more detail on the legal requirements (available from **www.amsa.gov.au/domestic**)
- call **AMSA Connect 02 6279 5000**
- contact your local marine safety agency.

For the latest news about general safety duties, subscribe to *Domestic Vessels e-News* and *Working Boats* magazine at **www.amsa.gov.au/domestic**

ADDRESSING

HUMAN FACTORS

Studies have revealed that we can increase safety and performance by changing our environment to be more in tune with ourselves and the intended goals. This field of study is known as 'Human Factors'.



The idea is quite simple. When there's a good fit between ourselves and our surroundings, we do things more quickly and easily, and we can manage and recover from mistakes better.

According to human factors experts, the following areas can often be attuned to people in order to improve safety, work performance, health and wellbeing.

- Education and training
- The way the work is organised
- System safety (including safety management systems, fatigue management, health and safety)
- Work procedures
- The design of equipment and machines (to make the tools and equipment easier to work with and maintain)
- The comfort of the living environment (habitability), and
- Resources available to do the work safely and effectively.

When we look at accidents through a human factors lens, often we see that the circumstances could have been avoided if the conditions (such as the things listed above) were attuned to the people involved. But the process of changing working environments to be more in tune with the people involved is often complex, with more than one factor involved.

Reference:

Grech, M. R., Hoberry, T. J. & Koester, T. (2008). *Human Factors in the Maritime Domain*. Boca Raton: CRC Press Taylor & Francis Group.

Lloyds Register and the Nautical Institute (2003–2006). *ALERT! The International Maritime Human Element Bulletin* (Issues 1–12) available at www.he-alert.org

A close quarter on Sydney Harbour

In 2013, a chartered sailing yacht came into close-quarter with a passenger ferry on Sydney Harbour. The yacht crossed the ferry's path, forcing the master of the ferry to act quickly, narrowly averting a collision.

The investigation report revealed that a number of conditions on the yacht had contributed to the incident:

- Design issues — the rigging reducing the field of vision from the helm position.
- Distraction — the activity of the passengers on the yacht distracted the master from their primary task of navigating.
- Crew members (volunteers) were unqualified and inexperienced.
- Communication — the information provided to the master by the inexperienced crew was inadequate.
- A lack of instruments on the bridge to help determine course and speed.
- Other safety issues (safety equipment, safety signage, safety instructions and safety barriers).

The Master of the yacht lacked that 'fit' between himself and his equipment, environment and resources, to carry out navigational tasks safely. This is critical if we consider he was navigating in a harbour with the highest density of commercial and recreational vessel traffic on the Australian Eastern Seaboard.

LESSONS LEARNT:

CREW POSITIONING

Looking at past incidents teaches us a lot about managing risk. This example, which comes from the Marine Accident Investigation Branch in the United Kingdom, highlights the dangers associated with crew positioning.



A crew member was lost overboard from a twin rig trawler during shooting operations, in darkness and moderate-to-rough sea conditions. Unfortunately, despite the best efforts of his crew mates he could not be rescued.

The vessel had shot her gear and the crew were attaching the three towing chains to the trawl wires. After attaching the port and starboard towing chains, two crewmen were in the process of attaching the centre chain. Once attached, the load on the trawl wires was transferred onto the chains. During this time, one crewman became caught between the chains and the vessel's bulwark rail, and was carried overboard as the load came onto the chains.

The man overboard managed to grab hold of the trawl wire, which was quickly hauled up in an attempt to recover him. However, unfortunately he was unable to hold on long enough to be pulled on board and was swept away from the boat and into the darkness.

Recognising the boat's lack of manoeuvrability with the trawl gear deployed, the skipper immediately ordered the wires to be cut using a petrol-powered angle grinder.

The boat was quickly turned around and the crew located their colleague in the darkness by listening for his calls for help.

Life-rings were thrown to him, but he was unable to hold on, and once again he drifted away from the boat. The skipper again manoeuvred the boat alongside and life-rings were thrown to the man overboard. Seeing that the man overboard was unable to help himself, probably due to cold and water ingestion, the vessel's skipper jumped into the sea, without protective clothing, in an attempt to help his colleague. Unfortunately he was unsuccessful and the skipper, too, began to suffer the effects of the cold water.

Luckily, but with difficulty, the remaining crew were able to recover their skipper from the water. However, despite a concentrated search and rescue operation, the casualty was not recovered even though he was wearing a flotation jacket.

The trawler's skipper was airlifted to hospital suffering from hypothermia after an estimated 10–15 minutes in the sea.

THE LESSONS

1. The two crewmen attaching the towing chains secured the port and starboard sides before attaching the centre chain. This placed them in an area of danger because a winch brake band could have rendered while they were attaching the centre chain. Attaching the centre chain first would have allowed the port and starboard sides to be secured from a position of relative safety—while standing on the fore side of the chains.
2. Transferring tension from the winch onto the towing chains should be monitored continually and in direct communication with the winch operator. Thereafter, slack wire from the winch should be pulled off only when the load has been fully transferred, and again carried out in a position of safety so that if a chain or connecting piece renders, the risk to crew members is minimised.
3. The casualty was wearing a 50 Newton flotation jacket. Although these do provide a degree of thermal protection, they are classified for 'swimmers in sheltered waters use and where help is close at hand'; they are not life jackets, and will not keep the wearer's face and mouth clear of the sea if they become unconscious. An inflatable life jacket, on the other hand, gives no thermal protection. If not too cumbersome, both a life jacket and thermal protection should be worn when on exposed open decks; this will maximise the chances of recovery in the event of going overboard.
4. The skipper's valiant attempt to rescue his crewmate almost cost him his own life. Wherever possible, thermal protective clothing and a life jacket should be donned before entering the sea, and a lifeline attached for recovery.
5. This skipper's quick action in ordering the wires to be cut maximised the chances of gaining manoeuvrability of the vessel. Angle grinders, such as the one used in this instance, are now readily available. These enable the gear to be cut away if necessary and do not need to be plugged in to a boat's electric supply. Survival times of a man overboard can be counted in minutes and seconds, so no time should be wasted hauling gear which could be jettisoned and recovered later.

Reference

Marine Accident Investigation Branch (MAIB) (2014) Fishing 2014 Safety Digest. Southampton, UK: MAIB. pp. 10–11.



Demonstration of where the crewman was standing at the time of the incident

A FEE FOR

SERVICE

FEES INTRODUCED FOR SELECT SERVICES

The Australian Maritime Safety Authority (AMSA) is implementing a fee for service arrangement to recover the costs associated with delivery of the following services:

- Accreditation of marine surveyors
- Consideration of applications for exemptions and equivalent means of compliance.

The fees will apply to applications received from 1 September 2016.

The fees have been developed in accordance with the Australian Government's Cost Recovery Guidelines (CRGs) and the Australian Government Charging Framework (AGCF). AMSA has been providing these services without charge but is now required to recover the costs of delivering these functions.

ADMINISTRATION OF THE SURVEYOR ACCREDITATION SCHEME

Vessel surveys (detailed inspections) are a key safety and compliance tool for AMSA.

The Surveyor Accreditation Scheme ensures that accredited surveyors have the competence to confirm whether vessels are constructed and maintained in accordance with the National Law.

There is currently no AMSA fee to apply for (or maintain) surveyor accreditation.

To help recover the costs of providing these services, AMSA will introduce fees for surveyor accreditation applications and ongoing accreditation maintenance. This will include:

- receipt of initial/new applications for accreditation
- assessing initial/new applications, usually involving an interview process, and receipt and processing an application for renewal of accreditation every five years.

The following fees (GST exclusive) will apply from 1 September 2016 with an annual indexation factor linked to the consumer price index (CPI).

New application fee

To become an accredited marine surveyor, there will be a one-off fixed fee payable upfront on lodgement of an application. The fee payable is a combination of the application fee (\$650) plus a set 'assessing/interview' fee, determined by the hourly rate and the number of categories of marine surveying that an applicant applies for (see table below).

Tier	Service	Application Fee (one-off fixed fee)	Assessment fee (@ \$185 per hour)	Total \$
1	1 to 5 categories (based on 4 hours assessment)	\$650	\$740	\$1390
2	6 to 10 categories (based on 8 hours assessment)	\$650	\$1480	\$2130
3	11 to 16 categories (based on 12 hours assessment)	\$650	\$2220	\$2870

Renewal fee

Surveyor accreditation renewal fee: \$254 (due every five years)



AD HOC SERVICES — AD HOC EXEMPTIONS AND EQUIVALENT MEANS OF COMPLIANCE

AMSA provides a range of administrative services for ad hoc requests, including processing applications for ad hoc exemptions and equivalent means of compliance. There is currently no AMSA fee for these services.

To help recover some costs of providing these services AMSA will introduce a fee for considering and determining applications for ad hoc exemptions and equivalent solutions.

The following fee (GST exclusive) is proposed to apply from 1 September 2016, with an annual indexation factor linked to CPI:

Ad hoc exemptions and equivalent solutions fee (per hour): \$230 per hour

The complexities of ad hoc applications can vary considerably. This means that the time and costs associated with assessing an application may also vary considerably. Upon receipt of the application, AMSA will provide an assessment of the time and cost estimated prior to any work being undertaken.

FREQUENTLY ASKED QUESTIONS

I am currently an accredited marine surveyor. What does this mean for me?

If you are currently accredited under the Surveyor Accreditation Scheme you will not need to pay an application fee unless you wish to apply for additional categories of marine surveying.

If you are not applying for additional categories you will only be charged the renewal fee of \$254 when you renew your accreditation.

I am currently an accredited marine surveyor and I want to apply for additional categories. How much do I pay?

If you are applying for accreditation in additional categories you will have to pay the new application fee for the additional categories you are applying for.

The categories that you are already accredited in are not counted when determining how many categories are being assessed. For instance, if you are already accredited in five categories, and apply for accreditation in an additional two categories, then you will be charged the Tier 1 rate. If you apply for another six categories, then you will be charged for the Tier 2 rate.



When do these charges take effect?

From 1 September 2016. If your application is received prior to 1 September 2016 you will not need to pay the application and accreditation fees.

How will AMSA ensure the process of assessing the total fee payable for ad hoc exemptions and equivalent means of compliance is fair and consistent?

AMSA has developed internal business rules which categorises applications based on estimated work effort. A quote will be sent to the applicant and work will commence once the quote has been paid.

What if AMSA denies my request for an ad hoc exemption or equivalent solution? Do I still have to pay?

Yes. AMSA will still need to recover the costs associated with the time spent assessing your application. AMSA will not grant an exemption or equivalent means of compliance if it results in a safety risk to a person or vessel.

Do I have a right of review?

Certain decisions made by AMSA in relation to surveyor accreditation, ad hoc exemptions and equivalent solutions may be internally reviewed by AMSA on application at no cost to you.

How did AMSA determine these fees?

AMSA is implementing the fees in accordance with the Australian Government's Cost Recovery Guidelines (CRGs) and the Australian Government Charging Framework (AGCF).

Based on current modelling, these fees are modest and will only partially recover AMSA's estimated costs.

Can I pay the fee in instalments?

No. You must pay the fees upfront before work will commence on your ad hoc request.

I currently have an exemption from AMSA. What happens when it expires?

If your exemption expires after 1 September 2016, you will need to apply for a new one through AMSA, where you will be charged the appropriate fee for this service.

A Cost Recovery Implementation Statement (CRIS) will be prepared and published on AMSA's website before, the charging begins as permitted under the Australian Government Cost Recovery Guidelines.



THE WESTERN AUSTRALIAN

FISHING INDUSTRY

COUNCIL

*A purse seiner operating along the South coast of Western Australia
Image supplied by WAFIC*





WAFIC

WESTERN AUSTRALIAN FISHING
INDUSTRY COUNCIL INC



WESTERN AUSTRALIA'S MSC CERTIFIED FISHERIES

- 1 Western Rocklobster
- 2 Mackerel Icefish
- 3 Heard Island & McDonald Islands Toothfish
- 4 Exmouth Gulf Prawn
- 5 Shark Bay Prawn

- Western Rocklobster
- South Sea Pearls
- Prawns
- Scallops
- Abalone
- Finfish
- Swordfish/Tuna
- Patagonian Toothfish/
Mackerel Icefish
- Southern & Tropical
Rocklobster
- Shark
- Crab



The Western Australian Fishing Industry Council (WAFIC) represents the interests of a responsible, sustainable and profitable commercial fishing, pearling and aquaculture industry in Western Australia.

They share AMSA's vision to improve the safety of commercial vessels (and their operators) and have been instrumental in AMSA forging cooperative relationships with WA fisheries.



CEO of WAFIC, John Harrison

WAFIC's work covers quite a broad spectrum. Chief Executive Officer of WAFIC John Harrison explains, 'There are about 47 different commercial fisheries in WA operating along a 12,000 km coastline that stretches between 15–34 degrees south. This represents a significant range and diversity.'

WAFIC was created by the industry nearly 50 years ago and works in partnership with government agencies to set directions for the management of Western Australia's commercial fisheries.

AMSA Liaison Officer for WA Chris Battel said that the partnerships WAFIC have since forged with the fisheries in WA have been key in promoting the National Standard for Commercial Vessels (NSCV).

'WAFIC is aware of the importance of the NSCV's success and has been active in getting AMSA's profile out there. They are also the mouthpiece for industry with any issues their members have on the NSCV or clarifications they require, which can then be disseminated by WAFIC,' he said.

John Harrison believes that the NSCV offers a unique opportunity to improve commercial vessel safety.

'WAFIC is very keen to see the successful implementation of any initiative that addresses the paramount issue of safety in the marine environment, which can be extremely unforgiving in some circumstances,' he said.

When asked his thoughts on the NSCV, John said, 'Ideally, such a national system should also incorporate an approach that offers strong incentives to vessel owners to adopt best practice methods. This would encourage vessel owners to go the extra yard on safety issues instead of meeting 'minimum' requirements.'

AMSA strives for a relationship with industry where owners, operators and industry associations can work with AMSA to create a truly National System that aligns safety outcomes with more consistent regulation.

AMSA's work to implement a standard set of safety regulations and services across an expansive nation with a wonderfully diverse domestic commercial vessel sector is heavily reliant on collaboration with peak bodies and regional associations.

These organisations have long served the commercial vessel sector in their regions, and have built invaluable relationships and knowledge that assist AMSA to deliver the National System.

AMSA welcomes the cooperation of all industry associations towards implementing the National System and keeping abreast of the views of the many different sectors within the domestic commercial vessel industry.

TORRES STRAIT MARITIME SAFETY

PATHWAYS PROJECT

The Torres Strait Maritime Pathways Program (TSMPP) has opened up career pathways in the maritime industry for Aboriginal and Torres Strait Islanders.







The extremely successful program sets Torres Strait Islander and Aboriginal people up to join existing maritime businesses or to create their own new businesses by helping them gain relevant qualifications and experience in commercial fishing, tourism, coastal trading and offshore shipping.

The TSMPP, which is a partnership between the Torres Strait Regional Authority (TSRA), Australian Maritime Safety Authority (AMSA) and Maritime Safety Queensland (MSQ), has been in existence since 2013.

Since the program started:

- 95 per cent of the 170 participants have completed training and achieved nationally accredited qualifications
- 87 per cent of participants are now employed in maritime-related industries including commercial fishing, diving, passenger ferries, maritime training and government vessel operations.

AMSA's Chief Executive Officer Mick Kinley said that the value of the program goes beyond providing careers for individuals.

'The TSMPP works by partnering community development programs with maritime safety programs to achieve outcomes neither can achieve alone. It has opened employment pathways for Indigenous people in the maritime industry and it has improved marine safety in many Torres Strait communities,' Mr Kinley said.

Some individuals have even made the transition from employee to employer. For example, many TSMPP participants are now employing other Indigenous staff members in their local community.

For more information about the TSMPP please contact the Economic Development Programme of the Torres Strait Regional Authority on 07 4069 0700.



KOEYGAB PABAI

In November 2013, Koeygab was selected to participate in the inaugural combined Coxswain/Marine Engine Driver training program delivered in the Torres Strait through the TSMPP. Koeygab said the training delivered by the TSMPP was fantastic for a number of reasons.

‘The trainers from the Australian Maritime College broke down the information really well so that it could be understood, and the process of converting training achievements into maritime qualifications was simplified,’ he said.

‘Also, the training platform, M.V. Elizabeth EII, was great in that being at sea there were no distractions. You could immerse yourself in commercial vessel operations with the assistance of a supportive crew of professional mariners.’

Koeygab applied himself so well to the TSMPP training that he was recognised as Trainee of the Year by the Transport & Logistics Industry Skills Council.

Having obtained nationally recognised maritime certificates of competency, Koeygab quickly obtained full-time employment with the inter-island ferry companies operating between Thursday and Horn Islands.

Koeygab has since completed his ‘Master up to 24 metres’ training and is now employed as the fleet mentor with the TSRA’s Land and Sea Management Unit in the Indigenous Ranger program.



TANYA TAKAI-BOWIE

Like Koeygab, Tanya Takai-Bowie completed her Coxswain Grade 1 and Marine Engine Driver Grade 3 Certificates of Competency through the TSMPP, but she has no intention of stopping there.

‘I would like to see myself either working my way up to gain more qualifications or being a marine technician,’ she said.

Since completing her schooling, Tanya has been employed on her uncle’s inter-island ferry company operating between Thursday and Horn Islands.

Since completing her TSMPP training, Tanya has worked in the maritime industry and as a trainee Marine Officer with Maritime Safety Queensland on Thursday Island.

‘This training has opened a lot of doors for me at such a young age,’ she said.

Tanya is also about to tackle the next part of her maritime career development by undertaking the Certificate of Safety Training (CoST) course in the coming weeks. The CoST course is a new TSMPP training deliverable aimed at providing participants with the mandatory qualification to serve on board vessels in international waters.

SPILLCON 2016

GLOBAL, REGIONAL, LOCAL

Keynote speaker Sir Angus Houston





SPILLCON 2016

Together with the Australian Institute of Petroleum, AMSA recently hosted Spillcon 2016 — the international oil spill conference for the Asia-Pacific region. Just under 400 attendees from 29 different countries attended the May event in Perth.

Being an island nation whose marine resources are both an integral part of our national culture and an important source of income and productivity, Australia is well placed to host the event, drawing on its cutting-edge knowledge, practices and products to pull together a rewarding and educational experience for delegates.

Spillcon 2016 showcased world-renowned keynote speakers on a lively program of topics, an on-water display on the banks of the Swan River; and an exhibition of the latest products, technologies and services in oil-spill management.

The keynote speakers gave delegates valuable insight into how they applied innovative solutions to real-life situations.

Juliette Kayyem, who was President Obama's Assistant Secretary for Intergovernmental Affairs at the Department of Homeland Security, described her management of the BP Oil Spill response in 2010. During her speech to a full house, Juliette shared lessons learnt from the experience and touched on a number of other key themes in oil-spill response.

Another keynote delivered by international social media expert Trefor Munn-Venn, was about two-way communication between organisations and the public during incidents like oil spills.

Air Chief Marshal Sir Angus Houston AK, AFC (Retd) talked about his efforts to recover Australians killed in the Malaysia Airlines MH17 crash. He also spoke about his time heading up the Joint Agency Coordination Centre for MH370, regularly mentioning the excellent work done by AMSA during the operation.

Delegates were then treated to an on-water and static display featuring a range of clean-up equipment, before finishing the week with an outback-themed conference dinner.

Feedback on the event indicated that Spillcon 2016 was a great success.

The International Maritime Organization said 'Spillcon 2016 was a rewarding experience. Our staff were able to draw on the expertise of the conference participants, exhibitors and experts alike.'

'Spillcon 2016 was a rewarding experience. Our staff were able to draw on the expertise of the conference participants, exhibitors and experts alike.'

Official Classified Guide
for Homeland and Your Home



Keynote speaker Juliette Kayyem



FREE RISK AND SAFETY MANAGEMENT WORKSHOPS

Commercial Vessel Risk and Safety Management Workshops assist owners and operators of domestic commercial vessels to identify risks in their operation and manage these risks through the implementation of an effective safety management system (SMS), which is a requirement of the National Law.

Participants learn about the different types of safety culture (peoples' attitudes toward safety; their values and behavior). They also gain the skills to identify and manage risk and then develop and implement a simple but effective SMS.

The workshops are free of charge but we appreciate it if you register in advance to assist AMSA to plan for catering and other aspects of the workshops.

To register for a workshop:

- email operationalsafety@amsa.gov.au or
- call **AMSA Connect 02 6279 5000** (option 3).

To learn about additional workshops around Australia and for more information about each workshop visit www.amsa.gov.au/domestic/training/workshops

NEW SOUTH WALES

Location	Venue	Date	Time
Kiama	The Pavilion 2 Bong Bong Road, Kiama NSW	Wednesday 8 June	9am - 2pm
Batemans Bay	Batemans Bay Soldiers Club Beach Road, Batemans Bay NSW	Thursday 9 June	9am - 2pm

NORTHERN TERRITORY

Location	Venue	Date	Time
Darwin	Doubletree by Hilton Esplanade, 116 The Esplanade	Thursday 2 June	9am - 3pm

DISTRESS BEACONS

DON'T DAMPEN YOUR DAY ON THE WATER

- GPS IS BEST
- REGISTER WITH AMSA
- SAVE PROOF OF REGISTRATION
- ADD TRIP DETAILS
- CHECK BATTERY EXPIRY DATE
- DISPOSE RESPONSIBLY



www.amsa.gov.au/beacons