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## Maritime Safety Reform – What is it?

Australia has eight different administrations regulating commercial vessel safety in Australian waters (the Australian Government, six States and the Northern Territory (NT)).

Maritime reform is intended to replace these systems with one national maritime safety regulatory system for all commercial vessels which will establish and maintain national uniformity in safety standards, regulation and administration.

A rewrite of the *Navigation Act 1912* (Navigation Act) forms part of the maritime reform agenda. Development of new maritime safety legislation will incorporate the rewrite of the broader provisions of the Navigation Act in parallel with the amendments required to implement a national maritime safety regulatory system for commercial vessels.

## What has been happening?

The Commonwealth Government has committed funding for the 2010/2011 financial year to progress maritime safety reform. These funds will support work being currently undertaken by AMSA in particular:

- Rewrite of the Commonwealth *Navigation Act 1912* incorporating amendments necessary to create a national maritime safety regulatory system for commercial vessels;
- Transfer of National Marine Safety Committee (NMSC) functions to the national regulator by July 2011;
- Consultations with state/NT maritime agencies, NMSC, industry and the general public to refine the operation of the national system; and
- Investigating options for a national database for commercial vessels.

This funding delivers on the decision of the Council of Australian Governments (COAG) of 2 July 2009 to implement reform with AMSA as the national maritime safety regulator and enables the Commonwealth, States and NT jurisdictions to continue working to develop and implement that decision.

## National Partnership Agreement

A National Partnership Agreement (NPA) between the Commonwealth and all State governments will formalise the COAG decision. Negotiations have commenced on the NPA, which will detail the mechanisms under which the national system for commercial vessels will operate. Details of how commercial vessel services will be delivered are being determined collaboratively by AMSA and the States and Territory maritime agencies.



## Navigation Act

AMSA and the Department of Infrastructure, Transport, Regional Development and Local Government (DITRD LG) have jointly prepared a discussion paper outlining the elements of the Navigation Act rewrite and the national maritime system legislation. The discussion paper will be released shortly and may be found at the DITRD LG website, along with further information on how to provide comments.

<http://www.infrastructure.gov.au/maritime/nmsr.aspx>

## Maritime Labour Convention

The Maritime Labour Convention (MLC) sets minimum requirements for seafarers to work on a ship and contains provisions on conditions of employment, hours of work and rest, accommodation, recreational facilities, food and catering, occupational health and safety protection, medical care, welfare and social security protection. Compliance is secured through formalised inspection and certification compliance procedures, shipowners' and shipmasters' supervision of conditions on ships, flag state jurisdiction and control over local ships, and port state inspection of foreign ships.

The MLC was adopted by the International Labour Organization (ILO) in 2006 and it is anticipated to be ratified by Australia in 2011.

The Navigation Act is the main legislative vehicle for implementing the Maritime Labour Convention. The Commonwealth is seeking to introduce legislative amendments to the Navigation Act in 2010 that will ensure Commonwealth compliance with the MLC.

## National Marine Safety Committee

As part of implementing the COAG maritime safety reform, the NMSC commercial vessel functions will be transferred to AMSA by July 2011. AMSA and the NMSC have arrangements in place for a smooth hand over of commercial vessel standards, education and training, national data and communication mechanisms.

## Marine Surveyors Competency Project

AMSA is also working closely with the NMSC and State and Territory maritime agencies to develop standards and competencies for marine surveyors. The project includes development of:

- a national model for marine surveyor competencies;
- training packages to support those competencies; and
- a national accreditation and auditing program.

A discussion paper on the proposals is to be released for comment in July 2010.

For further information may be found at:

[www.amsa.gov.au/Maritime\\_Reform/](http://www.amsa.gov.au/Maritime_Reform/)



## How does Tinny to Tanker fit with these reforms?

AMSA's proposed new certificate structure for seafarers will provide an alternative that will sit alongside the existing State/NT certification structures. Once implemented, a thorough review process will be undertaken involving industry, Registered Training Organisations and State and Territory regulators to ensure the system is ready to become the National Standard under the COAG agreement, making AMSA the national safety regulator for all commercial vessels on Australian waters.

Further information may be found at:

[www.amsa.gov.au/Marine\\_Qualifications/TinnytoTanker/index.asp](http://www.amsa.gov.au/Marine_Qualifications/TinnytoTanker/index.asp)

## What's next?

We are relying on industry to provide input to ensure that the new system is practical, and that there is a smooth transition to the new arrangements. Your contribution will have an important effect in developing maritime reform and we want to make the consultation process as meaningful and productive as possible. To do this, AMSA, DITRDLG and the State and Territory maritime agencies are preparing preliminary discussion papers for stakeholders to consider and comment on.

To participate in the development of maritime reforms and to stay up to date with progress, please provide your email address to [maritimereform@amsa.gov.au](mailto:maritimereform@amsa.gov.au).

You will then receive updates on opportunities for formal consultation and contacts over the next 12 months.

AMSA will also publish regular information bulletins and disseminate to industry stakeholders via State and Territory maritime agencies and the NMSC.