

*The Australian*  
***Maritime Officer***



**JOURNAL OF THE AUSTRALIAN MARITIME OFFICERS UNION**  
**APRIL 2003**

**VOL 12**

**NO 1**

Registered by Australia Printers Publication No: PP235387/00040

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**Front page:**

**Adsteam Tugs - Fremantle**



Photo: Kevin Pinch

## AUSTRALIAN MARITIME OFFICERS UNION

The Australian Maritime Officers Union (AMOU) was formed when the Merchant Service Guild and the Australian Stevedoring Supervisors Association amalgamated. With a proud history extending back to the 1880s the AMOU is uniquely placed to represent all professional, administrative, supervisory and technical employees in the maritime and stevedoring industries and in Port and Marine Authorities.

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**Industrial Officer: Kevin Pinch**

### Meetings

**Sydney** — The last Tuesday in each month, at the AMOU Office, 5th floor, 377 Sussex Street, SYDNEY -0930 hours.

**Melbourne** — The last Tuesday in each month, at the AMOU Office, 194 Drummond Street, CARLTON, -0930 hours.

**Adelaide** — The last Tuesday in each month, at the Port Dock Brewery, 10 Todd Street, PORT ADELAIDE - 0930 hours.

**Fremantle** — The last Tuesday in each month, at The Flying Angel Club, 76 Queen Victoria St., FREMANTLE - 1030 hours.

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The Australian

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### Wordprocessing:

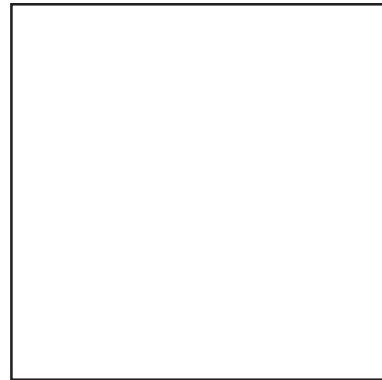
Christine Russell

### Printing:

Hermes Precisa Pty Ltd

Richard Hoare

# PRESIDENT'S REPORT



Following the approval and registration of the recent rule changes, the way is now clear to conduct Executive Council elections. Application has been made to the Industrial Registrar, under section 214 of the Workplace Relations Act of 1996, the Registrar will then make arrangements with the Electoral Commission for the conduct of the election.

I am of the firm opinion that the pressures on our Industry at this time require us to have a strong, able, cohesive Executive Council to govern the AMOU over the next four years.

To provide continuity, both myself and the majority of current Council members have indicated they intend to re-nominate. However I would still urge any members who feel they would be willing and able to give of their time to contribute to the management of the AMOU to consider nominating.

The Electoral Commission will conduct a search of membership rolls, then mail out election information, followed by Ballot papers to all financial members. I would anticipate this to take place following the completion of the NSW State election. Although I cannot be specific as to dates at this time, it is usual to call for nominations over a six week period, then allow a further three weeks for ballot paper preparation and mail out, with a further seven weeks to close of ballot.

Should any candidate wish to submit a personal profile (of say 150 words plus photo) to the "Maritime Officer" I will include it in the next issue of the "Maritime Officer" which will be published as the ballot opens.

The rules provide for the election to be held for the following honorary offices:

***President***

***Vice President***

***National Secretary (two)***

*By ballot of all financial members of the AMOU (Rule 49a)*

***Offshore Divisional Delegates (two)***

*By ballot of all financial members of the Offshore Division (Rule 49b)*

***Port Services Divisional Delegates (two)***

*By ballot of all financial members of the Port Services Division (Rule 49b)*

***Central, Eastern, Southern and Western Areas***

***Area President***

***Area Vice President***

***Area Secretary***

*By ballot of all financial members of the respective Area. (Rule 49c)*

***Smooth sailing***

***Captain Richard Hoare***

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# Individual Contracts – Recent Experiences

By MICHAEL FLEMING  
DIRECTOR PORT SERVICES DIVISION

*Throughout the 120 year continuous history of the Australian Maritime Officers Union and its predecessor organizations the Mercantile Marine Officers Association (1880's to 1890's), the Merchant Service Guild (from 1904) and the Australian Stevedoring Supervisors Association, members have been urged by employers to bypass or abandon the relevant awards and enterprise agreements and enter into Individual Contracts of employment.*



The AMOU has recent experience in this area and has defended members where pressure from employers has been applied to sign individual contracts. In many cases where contracts have been signed AMOU members have substantially lost out and received a lower employment package compared to the Award and Enterprise Agreement.

In an attempt to explain what is a complex area of employment law it must be first said that each AMOU member currently in employment has an 'employment contract'. Awards and Enterprise Agreements then also apply. A relationship between an employer and AMOU member exists when a contract of service (known as an employment contract) has been entered into by each of them with each other. This occurs at the time of starting work with a new employer. Usually the employer gives a 'Letter of appointment' when work first commences.

For AMOU members, in addition to the 'employment contract', the terms and conditions of employment are found in a diversity of sources.

The following matters also apply:

- The initial 'Letter of Appointment' from the employer generally describes key features of the employment such as the Job Title, the commencement salary and the employment policies of the employer as well as the various obligations.
- A Job Description.
- State and Federal laws also apply for example Occupational Health and Safety legislation, Anti Discrimination law, Workers Compensation law, Annual Leave and Long Service legislation.

***Bunbury Pilot Boat - Pilot transfer crew employed by Australian Reef Pilots Pty Ltd in some Queensland ports have been put on individual contracts. The AMOU represents the majority of Pilot transfer crew around Australia***

- The **Award** relevant to that area of employment. For example the New South Wales Port Corporations Award applies to AMOU members employed by the Sydney/ Newcastle and Port Kembla Port Corporations. The Public Servants Award applies to AMOU members employed by Maritime Safety Queensland (other than Marine Pilots). AMOU members generally have an Award applying to their employment either directly or as a reference to apply the No Disadvantage test when an Enterprise agreement is registered. Awards contain minimum standards below, which an employer cannot go.
- The application of **Enterprise agreements**. The majority of AMOU Port Services Division members have their salaries and conditions of employment expressed in Enterprise agreements (also described as Collective Agreements). It is important to understand that Enterprise agreements also contain minimum salary rates and employment arrangements. Employers can pay above the contents of these agreements but they cannot pay below. An Enterprise Agreement overrides the contents of a minimum standards award.

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## **Individual Contracts**

In recent times some AMOU members have been persuaded by some employers to opt out of collective agreements and enter into individual contracts of employment.

A number of members have been offered new employment only on the basis of the member signing an individual contract before employment actually commences.

Recent AMOU experience in the Queensland Charter Vessel Industry is that some members have been offered employment only on the basis of individual contracts of service also known as Sub Contractor contracts. The employers intentions are to opt out of the awards that apply and substantial financial risk is therefore passed on to the 'sub contractors'. The AMOU is a party to awards in Queensland that are legally binding on charter and commercial vessel operations within the state. If you want more information contact us.

The AMOU Port Services Division has been asked by members to intervene and rectify what has been perceived as unfair and unequal employment situations where individual contracts have been offered. The AMOU has been successful in a number of cases

## **Fixed Term Individual Contracts**

Although there had been a long and successful history of the application of the Marine Pilots Award the Hobart Ports Corporation implemented a policy of offering to new Marine Pilots employment only on the basis of Pilots signing Fixed Term Individual Contracts.

After a couple of years of experience on the individual contracts Hobart Pilots discovered that their employer was not honoring the terms of the contracts and that they were being paid salaries substantially less than the going rates for pilots in similar ports. The AMOU was asked to rectify the situation and after twelve months of a hard fought campaign was successful in obtaining an Enterprise Agreement registered in the Australian Industrial Relations Commission. The agreement was signed by the AMOU after unanimous endorsement by members in December 2002 and achieved the abolition of 'fixed term' employment and obtained higher salaries equivalent to Marine Pilots in similar ports.

An Enterprise Agreement negotiated by the AMOU with members acting collectively and maximizing their bargaining position has replaced individual fixed term contracts in Hobart Ports.

## **Workplace Agreements**

The previous government in Western Australia abolished the rights of Public Sector employees to enter into collective agreements. They were compelled to sign workplace agreements, which were in fact individual contracts of employment. Marine Pilots employed by the

Bunbury Port Authority after a few years experience on the contracts discovered that they were being paid salaries substantially below the market rates in the maritime industry. The AMOU Port Services Division was asked to get involved and improve the situation. The AMOU Fremantle based Industrial Officer Brad George conducted a vigorous and lengthy campaign. The result is that after winning a consent arbitration decision Bunbury Pilots will now be paid maritime industry salary market rates and an Enterprise Agreement will replace the individual contracts. The AMOU through the collective agreement process has been able to deliver a superior result compared to the previous individual contracts.

## **The Sub-Contractor**

Some employers in the Queensland Charter and Commercial Vessel Industry, at the instigation of the employer's body (the QCCI) have attempted to introduce so called 'sub contractor' employment arrangements.

The employers scam works this way – if you want employment as a Master/Engineer of a charter vessel you must sign an individual contract that states that you are a 'sub contractor', that you are not an 'employee' and that you have taken out at your own expense insurances covering Public Liability risk, Workers Comp and Legal Insurance.

The effect of the 'individual contract' is that the employer opts out of the award that the AMOU has for Queensland Charter Vessels. Masters are then paid an 'employment' package that is less than the minimum award standards. In one case the all up 'subcontractor rate' is \$175 per day in total pre tax – no holiday pay, no sick leave or superannuation and you pay for all insurances including Public Risk if you can get it.

The AMOU Port Services Division has a number of applications now underway in the Queensland Industrial Relations Commission, at the request of members, aimed at correcting this employer rort.

## **Can the AMOU help if your are being forced to sign an Individual Contract**

*The answer is yes;*

- It is generally in the employer's interest to advocate individual contracts.
- Most members in the Port Services Division have relevant Awards and Enterprise Agreements that apply. Use them – they produce a better result.
- The AMOU has the experience and resources to assist members in this area.
- The negotiating of Enterprise Agreements can at times be complex and difficult for members however the evidence is that they produce a superior result.
- For assistance contact the AMOU Port Services Division (see back page for details).

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# American Seafarers required to be vaccinated against Anthrax

***In support of our nation's "war on terrorism," the Military Sealift Command (MSC) has begun preparations to implement the Department of Defense (DOD) smallpox vaccination program and resume anthrax vaccinations for US merchant mariners.***

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The programs support the President's national smallpox preparedness plan and overall total force protection objectives. The DOD program, tailored to meet the needs of the military, is designed to ensure that America's armed forces, and civilians who have critical mission functions, are protected from the biological threat of smallpox and anthrax. Therefore, like our men and women in uniform, DOD recognized that it is critically important to protect US merchant mariners, both MSC CIVMARs and contract mariners, who may be deployed on sealift ships essential to the accomplishment of its missions. Vaccinating before an attack is the best way to ensure that our troops and mariners can continue their missions if a smallpox or anthrax outbreak occurs.

We must vaccinate merchant mariners sailing on government or commercial ships in potential high threat areas. Pursuant to your contracts with MSC, you are responsible to ensure that all crewmembers embarked on vessels sailing into a high threat area for MSC comply with these immunisation requirements.

Smallpox is a very serious disease that is contagious and sometimes fatal. It is caused by a virus that spreads by contact with infected persons. The smallpox program implementation calls for vaccinations and follow-on care to be administered in accordance

with Food and Drug Administration guidelines, and best medical practices, through DOD authorized medical personnel and facilities. Individuals must have both a medical prescreening before a vaccination review is necessary to assure it has successfully taken.

The overall consequence is that these vaccinations are being strictly controlled and prioritized. Nonetheless, it is important we not hesitate in this regard. The smallpox vaccine is a live virus, which requires that it be administered by certified medical personnel and rechecked at six to seven days to ensure the vaccination "takes". This means it must be administered at a pre-designated centre at least seven to 10 days before a seaman deploys. The initial vaccinations for both smallpox and anthrax can be administered simultaneously.

MSC intends to administer these vaccinations using medical teams at designated government facilities or at vessel lay berths. DOD healthcare access for all smallpox vaccine-related matters will be provided for all merchant mariners affected by this policy. CIVMARs and contract mariners alike will be entitled to the same treatment and necessary medical care as given to armed service members in response to these vaccinations. This includes follow-up and/or emergency medical treatment from a military treatment facility (MTF) or their personal healthcare providers or non-military treatment facilities for emergency medical care as a result of smallpox immunizations. Tracking and recording vaccination documentation is the responsibility of the military treatment facilities. However, mariners should be advised to maintain their own vaccine information. Operating companies or their respective unions should track this information as well. At the time

of immunization, mariners are to be provided documentation that identifies date and location of immunization, general information on typical responses to vaccination, common and serious adverse events, location of the nearest MTF, and the toll-free telephone number of the Military Medical Support Office (MMSO), in the event medical treatment is required from non-military treatment facilities. Once the vessel is operational and heading into the AOR, Navy fleet medical personnel will provide follow-up care and successive immunizations.

Anthrax is also serious and sometimes fatal. It is not contagious. The anthrax vaccine immunization program is a series of six shots at roughly 0, two, four weeks, six, 12, 18 months, plus annual boosters, which successively builds up the effective protection. The first immunization provides approximately 87 percent protection and the second shot builds up to 95 percent protection.

A certain percentage of mariners will not be able to receive either vaccine due to existing medical conditions and a certain slight percentage of mariners could have a severe reaction to a vaccine prior to deployment. In either case, they will not be permitted to sail on an MSC vessel into a high threat area. Pursuant to your contracts, these mariners must be replaced.

Some of the conditions that can *exclude* an individual from one of these vaccines are:

- Serious reaction from a prior dose;
- Pregnant and breast feeding women
- Immune system not fully working due to disease, medication, chemotherapy or radiation (e.g. HIV/AIDS, leukemia, cancer,

- organ transplant, immune deficiency);
- Current or previous eczema or atopic dermatitis;
  - Other skin conditions, such as burns, impetigo, contact dermatitis, chicken pox, shingles, psoriasis or uncontrolled acne, until the condition clears up;
  - Recovering from cutaneous skin anthrax;
  - People with a household contact that meets any of these conditions

Additional general guidance and information on the program and medical eligibility for receiving the vaccines can be found at the following Internet Web sites:

**Smallpox:** [www.vaccines.army.mil](http://www.vaccines.army.mil)

**Anthrax:** [www.anthrax.mil](http://www.anthrax.mil)

Medical screening before vaccination for contraindications in vaccine recipients and their household contacts is essential to prevent serious complications. Medical screening, including HIV screening, will be required before immunization. HIV

screening must be conducted no more than a week before immunization. Infection with human immunodeficiency virus (HIV) is a contraindication to smallpox vaccination. Screening can be conducted by a mariner's personal healthcare provider or will be offered by MSC in a confidential setting with results communicated to the individual before vaccination. It will be conducted in a manner that allows mariners to freely ask questions and get reliable answers. Unique for smallpox vaccine is the need to screen for risks among household contacts.

Screening will serve to document medical conditions for which immunization exemption (temporary or permanent), or further medical evaluation before immunization is indicated. In summary, the military's overall force protection plan includes:

- Merchant mariners crewing sealift ships supporting the deployment of U.S. forces that will sail into known threat and risk areas, will be required to be vaccinated for anthrax and smallpox.

➤ Access to immunization medicine by merchant mariners will be of high priority, similar to armed forces scheduled to deploy to high threat areas.

➤ Administering the vaccination, recording and tracking proper immunization, and access to military treatment facilities for adverse reactions and follow-on necessary care will be provided for all mariners.

➤ Critical to the success of our national strategy is the continuing ability of the US merchant marine to answer the call, time and time again, to crew ships sailing into dangerous waters to defend and protect the interests of the United States of America. MSC is committed to the enormous logistical effort posed by this plan, and the necessity to avoid any delay in immunizing, as a priority, those mariners who might be called upon to sail into high threat areas. We also solicit your input and ideas on how to best meet this critical force protection effort. MSC can only be successful with your cooperation.

*from American Maritime Officers Union*



### Check these great savings fellow member have made in January:

- WA member saved **\$200** on a Westinghouse Fridge
- Victoria member saved **\$132** on a Panasonic TV
- NSW member bought a Fisher & Pykel Fridge and saved **\$157**
- Tasmania member utilised our Motor Market service to find a Used Subaru Liberty Wagon and saved **\$2,000**.

**Whenever you are buying, please contact Union Shopper on 1300 368 117 – you never know what you'll save!**

**Not sure how to use Union Shopper?** Read on.... What is Union Shopper? Union Shopper Inc is your FREE shopping service. A Union Member Benefits Organisation providing a wide cross-section of goods and services to associated Unions. We have established relationships with reputable businesses to provide Union members with real savings and fantastic service.

### *It's worth it to remember Union Shopper!*

#### **How do I access Union Shopper?**

**STEP 1** Shop around first and decide what it is you want to purchase.

**STEP 2** Call Union Shopper on 1300 368 117 with the brand name, model number, your best price and store name. For some services and products we will provide the details of our preferred suppliers for you to contact direct. For travel, just give us your itinerary and budget.

**STEP 3** Your Union Shopper consultant will call you back, usually within 24 hours to advise you of our best price available at the time.

**STEP 4** Once you place your order with Union Shopper, our preferred supplier will then contact you to arrange payment and delivery.

*REMEMBER Always have your Union Membership details available when ringing Union Shopper.*

**Please be aware that Union Shopper is NOT a pricing service but a PURCHASING SERVICE.**

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# How much does a lack of Maritime English aural/oral ability contribute to accidents in our industry??

by Captain Tony Keane  
*formerly a Master and Pilot  
and lately a teacher of English*

**F**or better or worse English is the International Maritime Language. Swedes talk to Filipinos, Koreans to Frenchmen, Egyptians to Italians, Greeks to Burmese and so on and on...and they do it daily in Maritime English on ships around the world. We all cope somehow and it's a wonder that there are not more stuff ups than there are! We seamen usually have time to explain...pity the aviators whose decisions must frequently be made in seconds.

The demise of the traditional European shipowner operating his own fleet, crewed by the citizens of his country, and flying his nation's flag, has created more, rather than less, need for seafarers to speak to each other in Maritime English. Nowhere is the change more apparent than in the massive increase in the Chinese crewed fleets. The author remembers the construction of the ill-fated MV *Great Leap Forward* in Dalian in the 50s. She was China's first post war locally built ocean-going ship. Look at COSCO now! One of the biggest fleets in the world! It is not too far fetched to imagine that eventually Chinese could overtake English as the "lingua franca" on board ship, but even then English will be essential to conduct the shipping business, involving as it does so many different nationalities, both afloat and ashore.

This paper will discuss the Chinese context for simplicity sake, but the problem is not limited to the Chinese. The mariners of the former USSR, Eastern European and other countries are similarly affected. Since most of us native English speaking mariners, have frequently to converse with our Chinese colleagues in order to do our jobs it is necessary for us to understand a bit about Maritime Education in China. I refer to watchkeepers on Australian ships, pilots, port controllers, tug master, line gangs, stevedores and surveyors. All must overcome the frustration of dealing with the inability of Chinese officers to listen, understand and reply in English.

There are Maritime Universities in Dalian, Shanghai, Ningbo, Wuhan, Xiamen and Guangzhou and a number of smaller training schools scattered around the country. The big six pass out about 1000 cadets annually after they complete three years full time residential training and pass the Chinese equivalent of our own Master 1 examination. Of course as in most non English speaking

countries, students must pass an exam in English. It is normal that cadets will have completed about six years of English studies in High School before they arrive at University and most will have passed Band Four of the Chinese Board of Education English syllabus. Spread over their three years at the University they receive about 450 hours of English lessons, generally taught by Chinese non-mariner teachers using traditional methods. They will have had little opportunity to converse in Maritime English in any meaningful way.

On the surface then one would expect that young Chinese officers just out of University would be able to manage a rudimentary conversation. For example calling or answering a port control VHF station, or asking the pilot about placing tugs or which side alongside. During berthing the young officer should also be able to shout instructions to the line boat or shore party, or tell the garbageman or waterman where to place his equipment. Many are not able to do all of the above, and certainly could not ask where to change money, make a phone call or ask what time the gangs knock off.

It's easy then to understand why a request on the VHF for an indicated vessel to advise his intentions is frequently met with no reply, and then with a sense of rising panic as the giving way ship continues his course and speed. How many times has the ensuing circus resulted in close encounters of the worst kind? And how about a real emergency situation in a passenger ship on fire with every officer needing to be at his best, when an Italian Third Engineer must try to give orders to his Chinese, Norwegian and West African fire party members!!!

The reasons most Chinese junior officers fail miserably to learn Maritime English before joining their first ship, are easily understood but difficult to cure. Some are practical and others cultural. To start with the freshman cadet is of course taught all his technical subjects in his native language. At Jimei University in Xiamen where the author taught in 2002 no attempt was made to dovetail the learning of Maritime English with the technical subjects so that each supported the other. Since for instance, the charts and their corrections are almost exclusively in the English language, one would expect that young Chinese navigators would be encouraged to use both English and Chinese words interchangeably, and to define such things as Port and Starboard, Pilot Boarding Ground, red sector or foul ground in both languages. The same principle can be applied to Seamanship, GMDSS and meteorology etc. Of course ones' native language remains the dominant medium of understanding, but it is essential that ships officers understand immediately the

English language terms. The reason this is not done is both practical (Teachers don't have good enough Maritime English) and cultural (Why shouldn't we use our own language?). In addition there is pressure on the Universities to pass out as many graduates as possible for both commercial and cultural reasons (failures mean less student enrolling next year and a loss of face for student, family, teachers and the University).

Currently China is under great pressure to reform its Maritime Education because the demand for Chinese Officers is so great. China is a signatory to all the Conventions of the IMO and as the issuing authority for Certificates of Competency is supposed to ensure that Certificate holders must be able to comply with STCW95 as of February 2002. The Chinese fleet is expanding rapidly as it earns good money, and at the same time ship owners everywhere are finding certificated officers harder to get, especially compliant and cheap ones. Responding to this pressure China has belatedly set up a committee of review and high hopes are held that it will institute genuine reforms and not just band-aid solutions. Currently candidates for their first certificate, upon which they are granted seagoing qualifications, are not examined in spoken English. The exam papers are almost completely multiple choice questions drawn from an out of date book of 6000 examples and set texts, which the students try to learn off by heart.

Since so many ships would be detained if Port State Inspectors insisted on reasonable compliance with the effective communication requirements of STCW95 the IMO has been obliged to soften its stance, and warnings are now given instead of detentions. This has given a breathing space to those states whose certificate holders are not able to comply. Things will get better but slowly! It is important that Australia keeps up the pressure on all ships whose officers cannot communicate effectively. Report immediately to AMSA if you find bad examples.

So Dear Reader, the next time you encounter some poor young (or old) Chinese mate or engineer who can't make head or tail of what you are on about, stop for a minute, take pity on the poor blighter and write it down or better still draw a picture. On the VHF use Standard Maritime Phrases when you can, speak slowly and repeat until they get it. If you are in a position to do so, think about adding an Oxford Advanced Learners Dictionary and a Murphys or Swans English Usage Book to the ship's library. Press your owners to supply training videos and tapes and insist that young Chinese officers be able to hold a simple conversation in English before they join your ship. Make your juniors practice speaking English on the phone to the engine-room and on the VHF.

There are plenty of opportunities to teach Maritime English in China and the author and his wife will be delighted to answer any enquiry from people wanting a change and a new fun experience as a teacher. *Get the lowdown by email [keanemarine@yahoo.com.au](mailto:keanemarine@yahoo.com.au) or ph/fx (08) 9336 7923.*



**Australian Maritime Safety Authority**

## *Marine Surveyors*

**The Australian Maritime Safety Authority (AMSA) is seeking expressions of interest from suitable applicants for various Marine Surveyor positions around Australia.**

AMSA Marine Surveyors are responsible for monitoring the seaworthiness of ships visiting Australian ports and contributing to safe and pollution-free shipping, stowage and handling of maritime cargoes. In undertaking this role AMSA Surveyors undertake a varied range of tasks including port State control inspections, investigations of marine pollution incidents and acting as casualty co-ordinators during major marine incidents in Australian waters.

An attractive remuneration package is available, including a rewarding initial base salary plus generous employer superannuation contributions, access to performance-based payments and salary packaging benefits including private vehicle usage.

Further information about AMSA is available at [www.amsa.gov.au](http://www.amsa.gov.au). For more information regarding Marine Surveyor positions, please visit [www.amsa.gov.au/cs/eo/job.htm](http://www.amsa.gov.au/cs/eo/job.htm) or contact **Ms Frances McNamara on (02) 6279 5809.**

Holders of Master Class 1 or Chief Engineer Class 1 certificates with experience in the Australian maritime industry should submit an Expression of Interest that includes an updated resume and official application form, which is available from our website. Alternative base qualifications will be considered where the applicant has suitable experience. Electronic applications are preferred.

**Email:** [Recruitment@amsa.gov.au](mailto:Recruitment@amsa.gov.au)

**Post:** Human Resources –  
Recruitment  
GPO Box 2181  
Canberra ACT 2601  
Fax: (02) 6279 5940



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## EXCELLENCE IN MARITIME INDUSTRY TRAINING AWARD

*Nominations close 30 June 2003.*

### Eligibility

Schools and/or registered maritime training organisations are invited to nominate a candidate who may best benefit from this Award.

The current Award is based on the sailing programme of STS "SOUTH PASSAGE".

The nominee should be a resident of Queensland and the holder of a Master Class 5 Certificate of Competency obtained since January 2001.

**Details** To be attached to application

|  |                 |
|--|-----------------|
| Name of school/s, training organisation/s      |                 |
| Names of courses completed                     |                 |
| Street Address                                 |                 |
| Postal Address                                 |                 |
|  | Postcode        |
| Principal's name                               |                 |
| Contact name                                   | Title/position  |
| Telephone (W)                                  | (AH)            |
| Facsimile                                      | Email           |
| I hereby nominate for the<br>CMMA Annual Award | Name of nominee |
| Address  |                 |
|  | Postcode        |
| Telephone (W)                                  | (A/H)           |
| Fax  | Email           |
| Signature of Nominee                           |                 |
| Signature of Nominator                         |                 |

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## What we need to know about you

Please provide the following information:

1. What apprenticeship/traineeship and school studies are you doing? Please also tell us why you chose to study for your certificate.
2. What have you learnt through your course of study and how has it assisted your development in life?
3. What are your career goals? Please include further training and study goals.
4. Give some examples of your leadership/teamwork and communication skills.
5. Tell us what new technology you use at work and how it has influenced your work.
6. Please list your achievements. For example, Awards or scholarships or personal recognition for personal, work-related or community achievements.  
*Your replies should be approximately 100 words for each response.*
7. Please ask your employer and your trainer to write a letter of reference for you and attach to this application. The letters of reference should address your commitment, skills, organisational ability and teamwork.

### Application Checklist

- You are eligible to apply.
- You have answered ALL the questions in "What we need to know about you".
- You have attached the required letters of reference.
- Your application details are filled out, signed and attached to your application.
- Your completed application is received by CMMA Brisbane Branch Master by 30 June 2003.

Post your application to:

**The Brisbane Branch Master**  
**The Company of Master Mariners of Australia Inc**  
**PO Box 251**  
**HAMILTON QLD 4007**

## What happens from here?

- July** Applications are short-listed by the Court of the Brisbane Branch of CMMA.
- August** Successful applicant invited to dinner at the CMMA monthly Branch meeting and will be asked to speak on their application and plans for the future. The applicant will be given further details of the Award.

Establishment  
of the

**"Where to go  
boating in  
Victoria"**

Web Site

**by John Lord AM, Director  
– Marine Safety Victoria**

I am pleased to advise that in early October of this year Marine Safety Victoria launched the above site. It is unique in Australia, but is part of an ongoing effort to improve safety and services for all boaters and waterway users in Victoria.

We are hopeful the site not only proves valuable to Victorians, but also allows interstate visitors to plan their boating holidays with improved information on access and services on the many waterways available across Victoria.

Marine Safety Victoria has launched "Where to Go Boating in Victoria" as the first online directory and information service for finding boat launching sites in Victoria. Features include street directory maps, nearby places of interest, and key information such as vessel launching options, car and trailer parking, site exposure, local weather and tidal information, nearby amenities and distance from the nearest town.

To access the site go to [www.marinesafety.vic.gov.au](http://www.marinesafety.vic.gov.au) and click on "Go Boating".

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# Piracy and Armed Robbery Against Ships 2002 Report

ITF Circular No: 40/S.16/2003

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***The International Maritime Bureau of the international Crime Committee (ICC IMB) has issued its annual Report on Piracy and Armed Robbery Against Ships, which contains an analysis of worldwide reported incidents from 1 January to 31 December 2002. The report is based on the information provided by the IMB Piracy Reporting Centre, a special body created in 1992 within the IMB Far Eastern Regional Office in Kuala Lumpur as a result of the alarming growth in piracy in the region.***

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**T**he total number of reported attacks worldwide rose to 370 compared with 335 in the year 2001. Out of these, in 136 cases the pirates were armed with knives, in 68 cases with guns and in 49 cases with other weapons. The figures showed that most attacks occurred while ships were at anchor.

Indonesia recorded the highest number of attacks with 103 reported incidents and accounts for more than one quarter of the world's piratical attacks. For many years Indonesian waters have remained the highest risk area and unless the Indonesian authorities take serious steps to address the problem, the attacks will continue.

Bangladesh, with 32 piracy attacks, is ranked second highest, while India dropped to third due to increased patrols in Indian waters which obviously contributed to taking the number of attacks from 27 in the year 2001 to 18 for the year 2002. Malacca Straits and Malaysia recorded 16 and 14 attacks respectively. The remaining five, of the top 10 high-risk areas, which jointly accounted for two thirds of the world's number of incidents, are Nigeria (14), Vietnam (12), Guyana (12), Ecuador (12) and Gulf of Aden/Red Sea (11).

Attacks and hijackings in Somalia remain a major problem. With no proper government agencies available for assistance, ships hijacked by pirates are detained until a substantial ransom is paid. The IMB advises that ships not specifically calling at Somali ports should stay at least 50 nautical miles and if possible 100 nautical miles off the Somali coast. The IMB also advises that ships anchoring or passing close to the Somali coast should note that they will be seized by one of the warring factions from shore.

The IMB data indicates that the number of registered attacks in the following ports exceeded five throughout the year:

*Chittagong (Bangladesh) – 25*  
*Balikpapan (Indonesia) – 21*  
*Lagos (Nigeria) – 12*  
*Samarinda (Indonesia) – 11*  
*Jakarta-Tanjong Priok (Indonesia) – 11*  
*Ho Chi Minh-Vung Tau (Vietnam) – 9*  
*Georgetown (Guyana) – 9*  
*Guavaquil (Ecuador) – 8*  
*Belawan (Indonesia) – 8*  
*Rio Haina (Dominican Republic) – 7*  
*Chennai (India) – 7*  
*Mongla (Bangladesh) – 6*

The IMB Report stresses the recommendation that vigilant anti piracy watch still remains the best deterrent to prevent successful boarding by pirates.

**Full copies of the Report can be obtained from the IMB Piracy Reporting Centre at:**

ICC International Maritime Bureau (Far Eastern Office)  
PO Box 12559  
50782 Kuala Lumpur  
Malaysia  
Telephone: +60 3 20785763  
Fax: +60 3 20785769  
E-mail: [imbkl@icc-ccs.org.uk](mailto:imbkl@icc-ccs.org.uk)

You may be interested to note that the IMB now posts weekly piracy reports containing updates of attacks which are accessible on the Internet at [www.icc-ccs.org](http://www.icc-ccs.org)

*We hope this information assists you.*

Yours fraternally

**Jon Whitlow**  
**Secretary**  
**Seafarers' Section**

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# Lucky seaman sailed through world wars

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## Obituary

### *Kenneth Jessop-Smith*

*Australia's last World War I merchant seaman. Born Cardiff, Wales, January 12, 1902. Died Sydney October 14 2002, aged 100.*

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**A**ustralia's last merchant seaman from World War I, Kenneth Jessop-Smith always believed he was one of the luckiest sailors in Australian history. Not only did he survive enemy attempts to sink him in 1914 - 18, he also served on the high seas during World War II.

He used to say this was "one of God's great miracles" because his ships managed to dodge mines, submarines, bombers and raiders that wrought havoc on international sea lanes. In World War II, a German raider, the *Kormoran*, sunk *HMAS Sydney* with the loss of 645 men off the coast of Western Australia in waters where Jessop-Smith also sailed.

In all, more than 2000 merchant seamen died at sea during both wars, according to Herbert Bolles, who wrote a definitive history of the merchant navy, "*We Seemed to Get There*". "My God, was Jessop-Smith lucky," Bolles said recently. "We could not even have started those wars, let alone finished them, without merchant ships but he took great risks and to get through both wars unscathed was really miraculous, as 50 of our merchant ships were sunk in World War II alone."

Of these, 24 were sunk by submarines, 11 by aircraft, seven by surface raiders and seven were lost to mines. One was sunk by a Japanese warship. In one instance recorded by Bolles, the crew of Japan's cruiser *Tone* boarded the British registered *Behar* and beheaded all 72 crew.

Jessop-Smith, who joined the Australian Merchant Navy as a 14 year-old ship's boy in June 1916, believed it was his duty. He had grown up on ships as his father, Arkley Jessop-Smith, was the senior master with the Woods Line trading between England and Asia before settling in Australia in 1909.

Young Jessop-Smith knew at first-hand how essential merchant ships were for transporting troops, supplies and ammunition. He had heard what a key role they played in Australia's first military campaign at Gallipoli, where they also served as hospital ships transporting thousands of wounded men to safety. Jessop-Smith also said he joined up to serve king and country by helping with the war effort in the way he and his family knew best.

In World War I he served aboard the *Daniel*, *Senorita*, *Rothbay Bay*, *White Pine* and *Alexa*, transporting vital food and other supplies through Australasian waters as far as New Zealand and across the Pacific to California

(delivering wheat after the US had entered the war). The voyages across the Pacific, which took up to 131 days, were among the most dangerous because the notorious German raider *Sea Wolf* was marauding the trade routes.

Promoted to second mate by the end of the war, Jessop-Smith remained with the merchant navy between the wars, joining the Adelaide Company and gaining his master's ticket in 1925 and taking command of his first ships soon after. During the Depression he transferred to Australian Iron and Steel vessels and commanded auxiliary ketches such as the *Geraldton*, delivering workers and supplies from Fremantle to Cockatoo Island north of Broome to prepare depots and survey the island for the large-scale iron ore operations that were being developed there.

In the lead-up to World War II, the increasingly experienced ship's master served with the Australian naval reserve as a lieutenant. Jessop-Smith then served as a ship's master throughout World War II. He sailed around the Australian coast, through the Timor Sea, Arafura Sea and to New Guinea, where merchant ships supported land forces trying to stop the advancing Japanese invaders.

These were dangerous waters where Allied vessels were frequently sunk by mines, submarines, warships and aircraft. Several ships were sunk by the Japanese. This was also the time when Japanese kamikaze pilots attacked *HMAS Australia* under the command of J A Collins, putting the cruiser out of action in 1944.

After the war, Jessop-Smith bought a run-down farm and established a dairy at Seven Hills in NSW. Missing the sea again by the 1950s and unable "to swallow the anchor", as he put it, he sold his farm and secured a position as master of the Maritime Services Board pilot vessel *Captain Cook* operating in Sydney waters.

In recognition of his services, the Australian Merchant Navy Awards Council presented him with its highest award, the Australian Merchant Navy Service Cross, in May this year.

His wife, Molly, died before him and he is survived by two children, seven grandchildren and 10 great-grandchildren. His death leaves just 11 World War I veterans: two in Queensland, three in NSW, two in Victoria, one in Tasmania and three in Western Australia.

from "*The Australian*", 30 October 2002, by Jonathan King

# 2003 Legal Liability Insurance

**Once again the AMOU has entered into an agreement with Gault Armstrong, our insurance broker, to provide affordable Legal Liability Insurance for AMOU members. Please note that this insurance is for AMOU Members who are not covered for legal liabilities with their employer.**

This insurance coverage has been designed for those situations where the member is providing services as an employee permanently or otherwise, of another party.

**The annual premium for 2003 is \$329.18 as follows:**

|             |                    |
|-------------|--------------------|
| Premium:    | \$285.00 per annum |
| Stamp Duty: | \$ 15.68           |
| GST:        | \$ 28.50           |
|             | \$329.18           |

**or pro rata as follows:**

**9 months** from 20/3/03 or any period from 19/6/03 to overall policy expiry (20/12/03)

|             |          |
|-------------|----------|
| Premium:    | \$213.75 |
| Stamp Duty: | \$ 11.76 |
| GST:        | \$ 21.37 |
|             | \$246.88 |

**6 months** from 20/6/03 or any period from 19/9/03 to overall policy expiry (20/12/03)

|             |          |
|-------------|----------|
| Premium:    | \$142.50 |
| Stamp Duty: | \$ 7.84  |
| GST:        | \$ 14.25 |
|             | \$164.59 |

**3 months** from 20/9/03 or any period up to expiry of the policy (20/12/03)

|             |         |
|-------------|---------|
| Premium:    | \$71.25 |
| Stamp Duty: | \$ 3.92 |
| GST:        | \$ 7.12 |
|             | \$82.29 |

**Should any member wish to participate please write to the AMOU requesting an Application Form or alternatively speak to Kevin Pinch on (02) 9264 2388 or mobile 0409 827 871.**

**The summary of AMOU Policy Coverage is as follows:**

**Section One**

**Interest:** Marine Legal Liability  
**Limit:** A\$5,000,000 any one accident or occurrence

**Conditions:** Legal liability of the insured arising out of a Marine accident occurring during the period of the insurance and as may be recovered under Institute Time Clauses (Hulls) Port Risks 20/7/87 – Clauses seven, eight, and nine contained therein.

**Exclusions:**

1. Liability arising out of an action brought against the insured as an owner of a vessel.
2. Damage to the vessel under command.
3. Punitive or exemplary damages however described.
4. Any direct or indirect payment by the Insured under workmens' compensation or employers' liability acts and any other statutory or common law, general maritime law or other liability whatsoever in respect of accidents to or illness of workmen or any other persons employed in any capacity whatsoever by the Assured in or about or in the connection with the vessel or her cargo materials or repairs.
5. Liability assumed by the Insured under agreement expressed or implied in respect of death or illness of or injury to any persons employed under a contract or service or apprenticeship by the other party to such agreement.

**Section Two**

**Interest:** Legal Expenses etc.

**Limit:** A\$100,000 any one accident or occurrence, any one person but limited to \$5,000,000 in all per policy year.

**Conditions:** This section to cover the legal and ancillary expenses of the Insured in their capacity as Master, Officer or Engineer of a vessel arising out of their negligence or otherwise resulting in legal action being taken against them due to loss of life and/or personal injury and/or damage to property and/or pollution and/or rights of any kind arising from any contingency or occurrence covered by the rules of the Shipowners Mutual Protection & Indemnity Association Rules.

It is a condition of this insurance that on settlement of any claim hereunder that Insurers waive any rights of subrogation against the Employers of the Assured.

**Further to Cover**

1. The defence of a civil action or Court of Marine Inquiry against the Insured in relation to alleged infringements of laws or regulations in connection with the Insured's occupation.
2. The defence of an application for the removal or suspension of an Insured's Marine License or qualification resulting from a civil action or Court of Marine Inquiry.
3. The defence of a dispute first occurring after the attachment date of this policy relating to an alleged breach

*continued on next page*

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# Fremantle Christmas in July Luncheon

by Bob Rawlings

The inaugural Christmas in July Maritime Luncheon was belatedly celebrated on 24 September 2002 at the Rose Hotel on Stirling Highway, North Fremantle. It was sponsored by the Australian Maritime Officers Union. The initiative was taken to have a get together mid year for social interaction among personnel from within the industry, fellow workmates, company representatives and other friends. From the positive feedback this will become a regular Christmas in July event.

The luncheon began with the saying of Grace by Police Chaplain Mr Barry May who reflected on his own, and our own, members who have gone before us and whose sacrifices, particularly in performance of their duty, have given us the legacy we have today and an appreciation of our Brothers and Sisters. Their place in our history will never be forgotten and will remain an integral part of all our future endeavours and celebrations.

The format for the occasion was centred around an eminent guest speaker on the subject of the Past, Present and Future of the Maritime Industry. The Guest Speaker Mr Neil Bevis (Dip Ed, B Ed), who has been in many aspects of the industry for many years, gave a reflective and humorous account of the challenging and changing nature of the industry. His oratory was acknowledged and warmly appreciated by all. Neil has recently retired from Challenger TAFE (although not fully retired) and we would be keen to invite Neil to speak again on a future occasion.

Dishes from an original *MV Koolinda* 1934 menu were selected and as an added bonus the obligatory British Board of Trade Duff was offered as dessert. The function was graced by lovely partners of members and our hostess was the delightful Samara. It was a pleasure to have them there. We encourage members to invite their partners to subsequent Maritime Luncheons.

The raffle prize of a beautifully framed colour print of *MV Koolinda* was won by Ms Corrie Beatty and I am sure it will find a place, in the true maritime tradition, over a bar in the Mandurah Canals.

Feedback confirms that everyone appreciated the occasion and most importantly had a good time. We will keep everyone informed as to when the next one will be and would appreciate any suggestions for improvement and also nominations for possible guest speakers.

Apologies were received from Kim Beazley Snr, Fred Chaney, Des Dans, Natasha Stott Despoja, Mark McGowan, Bob Hoyle, Kanak Ranjan Ray, Gordon Lawrence, Mike Arnson, and Bruce Farrington.

*We gratefully acknowledge help from Charlie Viola, Bruce Farrington, Bernie Myers, Brad George, Bruce Moriarty and his staff at the Rose Hotel, the Merchant Navy Association and the Fremantle Maritime Museum staff. We appreciate attendance and support on the day of the Chaplains from the Flying Angel Club and Stirling Naval Base.*

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of any duty owed by the Insured to any Third Party pursuant to Common Law in the course of the normal conduct of the Insured's Maritime occupation.

#### *All Sections*

**Warranted:** Warranted free of any claim which is recoverable under any other insurance and in no circumstances shall this policy be construed as double or primary Protection and Indemnity Insurance.

**Warranted:** The Insured makes best endeavours to establish that the vessel has Protection and Indemnity cover or is entered into a Protection and Indemnity Club.

**Warranted:** This policy to remain silent.

**Deductible:** A\$250.00 each and every claim.

**Premium:** \$250 per member etc per annum but Minimum & Deposit Premium \$21,500 adjustable quarterly on additions/deletions.

**Security:** Associated Marine Insurers Agents Pty Ltd 100%.

#### ACTU Member Connect



### Discounted Eyewear for Union Members

ACTU Member Connect, the commercial arm of the ACTU, has negotiated discounted eyewear for all union members and their families with Merringtons Optometrists. **The discount is 20% off all eyewear including frames, lenses, contact lenses and sunglasses or a free second pair of glasses of equal value up to \$300.**

This offer is ongoing and exclusive to union members and their families. Union members should produce their membership card or present a Merringtons brochure at any of Merringtons' 51 retail outlets across Australia to access the discount.

# Port Services Report

*Adsteam EBA Meeting - Melbourne*



## **Tug EBA Adsteam**

Adsteam Marine and AMOU Certified Agreement 2002 was heard and Certified on the 6<sup>th</sup> February 2003 by Commissioner Raffaelli of the Australian Industrial Relations Commission. Agreements for a three Year EBA for all Adsteam Tug Masters, Engineers and Deckhands came after months of negotiations between the three maritime unions (both Officials and Delegates) and Adsteam Marine.

It was considered by the three Maritime Unions and supported by Adsteam that report-back meetings in major ports around the coast were essential before the EBA could go out to the respective members to vote on.

Major changes to the last EBA were the introduction of a Productivity Scheme or bonus payment for the amount of tug jobs performed and the other major change concerned all the ex Howard Smith Ports being included into one National agreement. Meetings were held from the 15<sup>th</sup> to 22<sup>nd</sup> November 2002 in the following Ports: Cairns, Weipa, Townsville, Gladstone, Brisbane, Fremantle, Adelaide and Melbourne, with

meetings held in the NSW ports of Sydney, Port Kembla and Newcastle from the 16<sup>th</sup> –18<sup>th</sup> December 2002 respectively.

The meetings were all combined AMOU AIMPE and MUA (which was a first for many years and appreciated by the vast majority of tug crews). The meetings were also well represented by all Union Members eager to have their say on their respective EBA's.

Following the report back the last sticking point was that the Current

Port Practices in each Port needed to be agreed between the Employees and local management prior to the EBA being Certified.

Whilst this caused a few anxious moments, agreements were finally reached with the Port Practices (for all Adsteam Ports) being tendered to the Commission on the day of certification.

Each Port now has to work out what the agreed figure is for the number of Tug jobs for that Port and to which the productivity payment will be forthcoming

## **United Salvage (Adsteam Marine)**

United Salvage, a wholly owned subsidiary of Adsteam Marine, used two tugs to refloat the *Pac Trader* which had run aground near Thevenard in South Australia. The *Pac Trader*, fully laden with gypsum, got caught on a sand bar while moving off the berth on the night of Friday 28 February 2003.

Local; tug *Waibuna* and Port Adelaide based tug *Tusker* completed the job at approximately 2.30am the fourth of March 2003



*Adsteam EBA Meeting - Townsville*



*Top left:  
Tug "Yam O" in Newcastle*

*Below:  
STA Ferry "Hunter"*



No pollution was reported during the salvage attempt.

### **Tugs AMS**

Australian Maritime Services has commenced Towage operations in Brisbane. This now forms two ports where AMS have operations, Brisbane and Melbourne.

AMS are looking to start services in other Ports around Australia namely Sydney/Botany Bay, Newcastle together with Ports in Western Australia.

There have been recent changes in the Management structure of AMS which has resulted in the appointment of Mr Reg Wicks as Director of the Board of AMS. Mr Wicks has extensive experience in ports, shipping transport logistics, commerce and finance.

Mr Jason Liu has taken over as the Financial Controller and will be responsible for all AMS financial business.

Mr Wayne Owen (Chief Engineer), will take up the role of Manager Operations and Engineering and Mr Arie Nygh (Senior Master) will take up the position of Manager Operations. Both men will be in charge of AMS nationwide operations. Both Arie and Wayne have over 25 years experience in the Towing Industry.

Mr Grant Smeding will be appointed as Operations Manager Brisbane and Mr John Hosie will become Operations and Engineering Manager Brisbane.

### **Tugs Port Hedland**

So far two meetings have been held with Teekay and the Maritime Unions (one in Port Hedland and the other over two days in Perth) to discuss a new EBA for the Tugs in Port Hedland. Discussion on crewing reductions from four to three for the tugs has also taken place. The current EBA expires on the 31<sup>st</sup> March 2003.

### **EBA STA**

Agreement for an EBA has finally been reached between the AMOU and the State Transit Authority (Sydney and Newcastle Ferries) for AMOU Masters and Engineers.

The Agreement delivers substantial changes to First State Superannuation by increasing the employer contributions from 9% to 12% of the full aggregated wage (previously paid on only 81% of the Aggregate wage) together with wage increases back dated till the 31 December 2001.

During the course of negotiations for this agreement the parties were unable to resolve the issue of the aggregate wage being adopted for the purpose of superannuation benefits for members of the SASS. Both the Union and the STA acknowledge that the concept of using the current aggregate



STA Ferry "Scarborough" at Circular Quay

wage for superannuation purposes was linked to the concept of movement to an annualised salary.

Accordingly, the parties agreed that during the life of this agreement, they would continue to negotiate the current claim of the AMOU for the aggregate wage to be the salary nominated for the calculation of benefits and contributions for members of the SASS. The negotiations will also include the concept of movement to an annualised salary from the current aggregate wage. Should the AMOU and the STA not reach agreement by first July 2003, then they may agree to appoint a private facilitator to assist the parties to resolve any issues which the parties have been unable to resolve in direct negotiations.

State Transit further agreed that should any relevant changes occur during the life of the agreement, which allow for the current aggregate wage to be reported as the superable salary for members of the SASS, State Transit would move to administratively implement the new arrangements during the life of the agreement, provided that any such new arrangements would not increase superannuation liabilities of State Transit or the Government and are administratively feasible.

Newcastle Masters are also covered by the same agreement, however for Newcastle Masters a one off adjustment shall be applied to their base rate which will take them to the same base rate as that payable to Sydney Masters and Engineers. As a consequence, the aggregate rate will be adjusted proportionally effective 30 December 2001.

As part of the EBA the parties also agreed to establish a Fatigue Management Working Group to facilitate the introduction of the recommendations of the Fatigue Study concerning such things as, life style and fitness issues, travel to and from work, employees and their families coping with shift work and irregular hours of work

### ***Fatigue Study STA***

As reported in the last AMOU Journal Sydney Ferries Masters and Engineers undertook a detailed study into Shiftwork and Fatigue. This was carried out by DNV with the following extracts forming part of their report.

#### ***Methodology***

The overall objective of the study was to conduct an assessment of typical fatigue levels related to current shift patterns.

The study was structured to assess *all* Sydney Ferries Masters and Engineers using a general survey and activity logging methods and a *representative sample* using more detailed observation and physiological assessment techniques.

The study was therefore intended to provide a general assessment of current shift patterns and fatigue levels across the organisation rather than an assessment of individuals.

#### ***Recommendations***

→ Consider introducing a 'healthy lifestyle' programme for Sydney Ferries staff, including access to exercise equipment/classes and regular health monitoring.

→ Consider the introduction of an alcohol and drugs policy at Sydney Ferries.

→ Sydney Ferries Management, in consultation with Masters and Engineers, should develop a strategy for improving working culture within Sydney Ferries that leads to improved communication and trust between themselves and the Masters and Engineers.

→ The removal / remedying of the perceived blame culture should form part of the improvement in working culture and would lead to improved incident reporting and help to generate a proactive approach to problem-management.

→ The current sick leave cover system should be reviewed to ensure that abuse of the system is minimised and that covering sick leave does not in itself lead to an increased fatigue burden for Masters and Engineers (eg ensure that a person is not called in to cover sick leave if they have worked a late shift the night before or if they have had little or no time off in the past week).

→ Sydney Ferries should consider adopting a 12-hour maximum shift length for all ferry operations.

→ Consider bringing the overall hours worked per week by the Masters and Engineers into line with national and international averages.

*Top right:*

*STA Ferry "Collaroy" passing STA Supercat in Sydney Harbour*



*Below:*

*Rivercat "Dawn Fraser" at Circular Quay*



➔ Consider the impact of where in the day hours are worked as well as the length of shift in the development of any new rosters.

➔ Sydney Ferries should consider the impact of monotony on performance, particularly where fatigue may also be an issue, when developing shift schedules and timetables.

➔ Discontinue the split-shift type of shift pattern and find an alternative continuous shift schedule to replace it.

➔ Any proposed changes to shift schedules should be analysed using the RFI to ensure that it does not increase the risk of fatigue-related incidents occurring.

➔ Any changes should also take note of the guidance on shift rostering provided in the literature review and the NSW WorkCover Authority guidance summarised below.

➔ Any changes in shift scheduling should be performed in full consultation with the Masters and Engineers.

A Roster Committee has been also established, of AMOU Sydney Ferry members who are currently looking at all rosters to implement the recommendation in relation to shift lengths of no longer than 12 hours per rostered period of duty.

### **EBA Blue Line**

A new EBA has been certified by Senior Deputy President Duncan of the Australian Industrial Relations Commission

in Sydney on the 6<sup>th</sup> February 2003 between the AMOU and Blue line Cruises. The EBA is a three-year agreement which delivers pay increases during the life of the Agreement as well as increases to superannuation from 9% Government Superannuation Guarantee Levy to 12%.

### **Gladstone Bunker Barge "Larcom"**

On the 21<sup>st</sup> March 2003 an EBA for the bunkering barge "Larcom" will go before the Commission for certification. This is the second time that this EBA has been to the Commission.

On the first occasion last year when the Maritime Unions made application to the Commission, the Commissioner asked the Unions and the Company to write a written submission to him as to why a clause for what's commonly known as the Electrolux decision should be included in the Agreement.

The Unions decided at this point in time to withdraw the application from the Commission and to remove the clause and resubmit the EBA back to the members for another vote as a new EBA. The respective members agreed to delete the clause and have the Union make a new application to the AIRC for certification of the new EBA.

### **Sealink**

Perth-based shipbuilder Austal Ltd has added a third vehicle-passenger catamaran to its order book, signing a \$14 million contract for a ferry with South Australian company, Kangaroo Island SeaLink. SeaLink operates ferry services between mainland South Australia and Kangaroo Island.

The contract marks Austal's first sale of a vehicle-passenger ferry to the Australian market and increases its order book to 19 vessels with a combined value close to \$430 million. The 49.9 metre ferry, due for delivery in November 2003, will operate at a speed of 15 knots.

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## ***New MD for Adsteam***

John Moller joined Adsteam Marine in January as Managing Director and Chief Executive Officer. He was previously Executive Vice-President, Asia Pacific, for James Hardie Industries. He is an engineer with an impressive operational background of managing major businesses.

While he hasn't previously worked in the maritime industry, he believes his engineering background will serve him well. In his first week, he boarded *Wonga* as it assisted oil tanker *Seri Cata* into the Shell complex at Gore Cove on Sydney harbour.

"It was great to experience a towage job in my first week. Being onboard the tug really showed me the essential service our tugs provide to visiting ships. Being a mechanical engineer, the tugs are of great interest to me," he said. His early impressions of Adsteam are favourable. "It is a fundamentally good business."

"Opportunities exist for us and I believe some improvements can be made, particularly to realise synergies from acquisitions." "All the assets, vessels and offices, are world class and there is a great team of people. I am looking forward to taking Adsteam Marine to the next level," he said.

**By Kevin Pinch - AMOU Industrial Officer**

## **Retirement Kevin Jones**

Kevin started on the Hayles passenger and barge ferries in 1962 and became a member of the Merchant Service Guild in 1965.

Kevin worked for Hayles from 1962 - 1978. He then joined the tug company Townsville working first on the lines boat and then on the Tugs. Kevin retired in December 2002 after 24 years of service to North Queensland Marine Towage. Kevin is a very dedicated worker for the local Sailing Club and will continue his involvement in his retirement.

Kevin is a very popular workmate with all the crew and on behalf of the AMOU and his work mates we wish him and his wife Sandra good health and happiness in their retirement.

**\* If any member knows of an impending retirement of a member, who has been an active member for many years like Kevin above, please put pen to paper and share it in the Journal with other AMOU members.**

## ***Geraldton Dredging Project***

Sometimes the best laid plans do go astray, and as can be expected with dredging this has happened on two fronts with the Geraldton project. Firstly with the mix of weather, swells, the materials being dredged and subsequent repairs the program has been delayed and will not be completed as early as first thought. Secondly whilst we attempted to break new ground on this project by achieving an agreement for an Australian to take on the Dredge Master role on the *Leonardo Da Vinci*, the refusal by the incumbents to assist in the training program has led to other arrangements being made.

The project is set for completion in the third quarter of 2003.

## ***Port Hedland Dredging***

The dredging project on Port Hedland is currently due for completion. The project was the subject of a dispute between the AMOU and Dredecos over the company's use of expatriate Masters on the workboat and the failure of the company to consult with the Union over the project prior to commencement. After the matter was heard in the AIRC, Dredecos wrote to the AMOU agreeing that it will consult with union in accordance with the EBA prior to the next project.

## ***Dampier Port Control***

Dampier Port Control has been up and running since November 2002 and an EBA has been registered on behalf of the AMOU members working in the tower. After some teething problems with the agreement, we have made further amendments, which have been accepted by all parties and will be processed before the AIRC in the near future. During the second quarter of 2003 the Port Control team will become involved in wharf scheduling as the port ends the single stevedoring license.

## ***Rottnest Ferry Operators Want EBA***

After months of discussion the key operators of the Swan River tourism vessels, public transport ferry and the Rottnest ferries have agreed to sit down with the maritime unions to write a multi employer/multi union collective agreement. The break through came after months of work by the AMOU in raising the idea of building a partnership with this sector of the industry and ending the reliance of the operators on non-union contracts.

Meetings with Masters and Mates will take place with the cooperation of the employers who have become very open to the idea of a union presence in the industry.

## ***Bunbury Pilots Victorious***

The Western Area office took great pleasure in running a case before the AIRC on behalf of the Harbour Master

*continued on next page*

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# ***New Melbourne Ports Board Appointed***

## **Media release**

**From the Victorian Minister for Transport  
Wednesday 12 March 2003**

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Victoria's reputation as the freight state would be consolidated with the appointment of a new board to oversee the transition to a new corporation to manage the Port of Melbourne, Transport Minister Peter Batchelor announced today.

The transitional board would be chaired on a full-time basis by Mr Neil Edwards, who has been secretary of the Department of Industry, Innovation and Regional Development since 1999.

"Neil Edwards is well-respected within industry and government, and will bring a wealth of experience to this position," said Mr Batchelor.

"His appointment reflects the Bracks Government's commitment to maintaining and growing Victoria's position as the 'freight state'."

Mr Edwards will be supported by a transitional board that includes the former chair of the Melbourne Port

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and Deputy Harbour Master from Bunbury. After months of negotiations, protected action and a lengthy Commission hearing the AMOU received the news from the AIRC that the matter had been found in the favour of our members. Breaking the shackles of the non union individual contracts and some of the lowest pay rates for pilotage in Australia, the case was a significant breakthrough for the union and Western Australian port authority employed pilots.

## ***Bunbury Tugs Secure Deal***

The masters, mates and engineers engaged in Bunbury on the Riverwijs tugs have shown the rest of the partnership based contract workers in the Riverside Marine operations how it is possible to be 100% union and secure a good deal. By working together, appointing the AMOU to represent them, communicating well and running a very intense bargaining campaign, the members in Bunbury ended the 12 month cycle of contracts and moved to a "for life of tender" contract with guaranteed annual income rises and a fatigue management system akin to STCW 95 principles. The Western Area office was very pleased to assist this united group of members.

**By Brad George - AMOU Industrial Officer**

Corporation, Mr Peter Thomas, and the current chair of the Victorian Channels Authority, Ms Mary Anne Hartley. "Mr Thomas and Ms Hartley not only provide valuable experience and expertise, but will also provide continuity in the transition to the new corporation," said Mr Batchelor.

Ms Elizabeth Parkin and Mr Frank Williamson have also been appointed as directors of the new corporation. Elizabeth Parkin has extensive experience in providing strategic and commercial advice to large organisations and Frank Williamson is a maritime law specialist who has executive level international shipping experience.

"Their combined expertise in corporate governance and industry knowledge will help the Port of Melbourne remain the largest container port in Australia and compete effectively with major ports in other states and overseas," he said.

Mr Batchelor said the key challenge for this new board is to oversee the smooth transition from the Melbourne Port Corporation to the new corporation, and to maintain business as usual for the port.

The establishment of a new corporation was announced at Ports Agenda 2002 last July. The new organisation will maximise the performance of key port assets by integrating the land and water side management of the Port of Melbourne.

"The creation of an integrated Port of Melbourne was central to the Bracks Government's response to an independent review of port reform by Professor Bill Russell," said Mr Batchelor.

"This new organisation will secure the Port of Melbourne's position as Australia's biggest and best container port by providing a more effective institutional structure."

"A new charter will enable the organisation to plan, resource and undertake the strategic development needed for the port," he said.

Mr Edwards will be responsible for ensuring an orderly transition of assets, staff and business operations from the Melbourne Port Corporation to the new corporation, to be called the Port of Melbourne Corporation. He will also be responsible for working closely with the Victorian Channels Authority to ensure that its channel management functions in relation to the Port of Melbourne are smoothly integrated into the new corporation.

Under the phased implementation approach adopted by the Government, the Victorian Channels Authority will continue to have responsibility for the channels serving the ports of Geelong, Portland and Hastings until long term arrangements, particularly in relation to Geelong, are finalised.

Mr Batchelor said that the legislation to formally establish the new corporation will be dealt with in the current session of Parliament, with the new corporation expected to be established by mid-year.

## **“Cornelis Zanen”**



### **VCA-Port Phillip, Melbourne & Geelong Channels Maintenance Dredging Project Completed**

The VCA's Port Phillip, Melbourne and Geelong channels 1:4m cub mt. maintenance dredging program has now been completed by Westham – Boskalis utilising their trailer suction dredge *Cornelis Zanen*.

The duration of this project together with the mob and de-mobilisation of the dredge from and to Singapore eventually taking around four months.

Unfortunately, this project wasn't without its on-board problems involving conditions on the dredge as well as crewing issues and mechanical breakdowns. Meetings between the company and the three maritime unions have taken place in order to address several issues and to hopefully develop procedures etc intended to avoid similar problems arising on future projects.

As a related matter, and given the now common problems concerning the navigational certificate requirements (STCW and Dutch registry), as well as the limited availability of members with dredging experience etc, the AMOU has had further discussions with both Westham and other dredging industry representatives on our demand to

develop an agreement for on-going full-time employment. These discussions are scheduled to continue with an expectation of a positive outcome for our members anticipated.

### **Port Phillip Channel Deepening Project Update**

The Victorian Channels Authority is continuing with its detailed investigations into the feasibility of deepening the main commercial shipping channel in Port Phillip Bay and into the Port of Melbourne.

The in-principle support of the Victorian Government is dependant upon satisfactory resolution of a number of environmental, technical and financing issues. An Environment Effects Statement process is currently under-way, with a range of specialist studies addressing specific areas of possible impact having recently commenced. The VCA anticipates to have completed this EES document and make it available for public comment by early next year.

A final decision by Government to proceed with this project will be made on the basis of the outcomes of the environmental, technical and financing streams of work being undertaken.

Given that extensive consultation with concerned stakeholders is an important part of the process being undertaken by the VCA, requests for

further information should be directed to Lisa Faldon at the VCA or by e-mail; [lfaldon@vicchannels.vic.gov.au](mailto:lfaldon@vicchannels.vic.gov.au).

### **Hobart Ports Corporation Enterprise Agreement Certified**

Finally, the Hobart Ports Corporation Enterprise Agreement has been certified by the AIRC. The negotiations for this three-year agreement have taken place during the period of significant management restructuring and review of services provided by the corporation.

This agreement provides coverage of all employees, both administration and operational. At the same time the agreement provides for individual employees the opportunity to enter into a personal salary package arrangement conditional on the basis that the enterprise agreement is recognised as the minimum terms and entitlements. Annual salary increases of four percent, some individual classification re-reviews and together with improved superannuation benefits make up the major improvements in employee's entitlements.

### **Toll Geelong Port Enterprise Agreement**

Toll Geelong Port has agreed to a new single three-year enterprise agreement between the AMOU, MUA and CEPU covering all employees.

This agreement consolidates a number of "site and or individual union / employee group arrangements" as well as providing for annual salary increases of four percent backdated and effective from the First of November 2002. In addition, the agreement also has a "Leave Reserved" provision for the AMOU in respect to the Marine Controllers ongoing security of employment which may be subject to change as a consequence of the Victorian Government's Ports reform plans.

A small group of AMOU members (admin. section employees) have also secured a once-off opportunity to

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nominate (change to) their preferred choice for membership of superannuation fund.

This Agreement has now been listed for hearing and certification by the AIRC.

### **Port of Launceston Enterprise Agreement**

As reported in the previous edition of the Journal a new three-year enterprise agreement has been finalised with the Port of Launceston, AMOU and MUA. This agreement provides for salary increases averaging between three to four percent per annum.

In respect to a number of positions held by AMOU members, there has also been a positive salary realignment taking into account their changed position descriptions etc. The agreement has been lodged with the AIRC for certification following the employee's approval of the agreement together with its backdated operative salary date.

### **Toll Shipping Stevedoring Supervisors Enterprise Agreement**

Meetings have been scheduled to commence at the beginning of April for the renewal of the enterprise

agreement covering AMOU members employed at the company's Port Melbourne and Burnie ship stevedoring terminals.

Whilst the original (current) agreement was made when Brambles Shipping owned the business, early indications are that Toll intend to continue with a similar operation / service, as such it is anticipated that the renewal of this agreement will reflect minimal changes.

### **Dredging Industry Changing Faces**

The bucket dredge *A.S.Mayne* is in the process of being stripped of its engines and dredging machinery after being sold for a reported \$80,000. Built at the Vickers Cockatoo dockyard in Sydney at a cost of \$7million the "*Mayne*" entered service with the then Melbourne Harbour Trust during 1977. Groaning away 24 hour per day five days a week it was used for deepening, widening and maintaining the Yarra River.

Prior to being de-commissioned in 1991 the dredge was also contracted to carry out a dredging program for the then Port of Geelong Authority. *A.S.Mayne* hull is being converted to become a flat top barge.

### **Westham Dredging**

Westham Dredging Company's existence in and around Australia over the past thirty years now looks set for major changes. From the days of Ham and Westminster Dredging forming an Australian subsidiary company, Westham has been involved in numerous construction and maintenance contracts in every Australian State as well as in New Zealand manning such dredges as the *Resolution*, *Ham 308&310*, *Seaway*, *Kunari*, *Wombat*, *Goomia*, *Pelican*, *Cornelis & Barret Zanen* and the tug *Reliance* to name but a few.

Countless AMOU members have been employed by the company over the 30 years and no-doubt hold memories of the various projects and personnel involved. With further "marriages" within the parent companies, Boskalis now looks as if it will be the company associated with any future major projects with Westham relegated to minor operations.

**By Steve Groves -  
AMOU Industrial Officer**

***Bucket-dredge "A.S.Mayne" scrapped***



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# *Offshore Report*

## **AMOU Website**

The AMOU is in the process of expanding its website to provide members with more information.

Some of the things planned to be included are a Notice Board where we can provide general information. Most AMOU forms etc shall also be available from the website. It is intended to make the Journals and Industrial Reports available from the website. Also planned are a number of links to other sites that contain information relevant to members such as EBA's, the Award etc.

Some work has already commenced. We urge members to swing past in the near future and check out the site for themselves.

## **Superannuation**

Based upon Australian Tax Office figures the ATO will be issuing 900,000 superannuation surcharge assessments this financial year. Of the 900,000 assessments, 500,000 are expected to be for individuals and the remainder being issued to self managed super funds or multiple accounts. Some of the 500,000 individuals will be members of organisations affiliated to the Society of Superannuants ("S.O.S") of which the AMOU is one.

When the surcharge was introduced in 1996 by the Howard government, (which promised no new taxes, so they called it a surcharge), it was expected to affect 350,000 individuals and raise a whopping \$300 million for the federal government bean counters. The superannuation surcharge is expected to yield \$800 million this year. Like bracket creep is to PAYE taxpayers, the superannuation surcharge shall continue to yield greater sums for years to come or until it is dismantled.

The tax was originally designed to target the rich, however it would appear more and more individuals who may be regarded as middle income earners are also being caught with the tax.

The superannuation surcharge begins to phase in at an income of \$90,527 this financial year and is payable at the full 15% for incomes of \$109,924 and above. Included in the concept of income mentioned above is not just an individuals base salary but their adjusted taxable income and also includes the value of superannuation contributions themselves, your reportable fringe benefits, some termination payments and long service leave entitlements.

The combined effect of the 15% contributions tax and the 15% superannuation surcharge on someone on a salary of 100,000 with 30 years to retirement would wipe

\$131,247 off their lump sum and reduce their retirement income by 20% from \$33,075 to \$26,512 a year.

Whilst \$100,000 might be regarded as a high income, a retirement income of \$26,512 is certainly not high but here is the rub, it is only fractionally higher than the \$25 000 the National Centre for Social and Economic Modelling deems "financially comfortable" for the average Sydneysider.

In aggregate terms the governments of both political persuasions have swiped \$80 billion from collective superannuation since 1989-90 in the form of taxes and associated reductions in investment earnings. Your nest egg has become a government piggy bank. Would you like to tell the government to stay out of your pocket? How? Easy!!! Go to the S.O.S website and sign the petition. You can even kick in a few bob to assist S.O.S campaign in both the legal and political arenas. Alternately you can email Senator Helen Coonan, Minister for Revenue and Assistant Treasurer at [senator.coonan@aph.gov.au](mailto:senator.coonan@aph.gov.au)

Recently, the High Court has handed down it's decision on the two State judges and whether or not the State judges are liable to pay the superannuation surcharge. The High Court held in *Austin & Anor v Commonwealth* [2003] HCA 3 on 5 February 2003, the State judges were not liable to be assessed for surcharge because the surcharge placed a "burden" or "disability" on the activities of state governments. I guess this raises the question of whether or not Federal Court judges escape surcharge tax based on this decision. It looks like State judges have escaped because of burden or disability upon the relevant State but one would think the federal government can burden itself and therefore Federal judges are still liable to pay the superannuation surcharge tax.

One of the cornerstones of a law with respect to tax is, all taxpayers should be treated equally, relative to their liability. No one would disagree that if you earn a bit more you pay a bit more. However we now have a group whom are not liable at all whereas someone on a similar income in a different position is liable. On that basis equity no longer exists and the regime is unfair. Consider how silly the whole regime is if Federal court judges are liable for surcharge and State judges are not. What if State public servants are not liable but Federal public servants are. What about the situation where you have a State public servant and an individual on the same salary and the State public servant is not liable but the individual is.

The judges in their decision also commented on a number of matters, although these matters did not form the basis of their decision. Some people have viewed these comments favourably and are closely examining the situation with respect to others. Time will tell whether or not other groups such as State public servants may be able to sneak out of this tax as well.

S.O.S is looking at Brown's case with a view to assisting Ivan Brown with his appeal to the Federal court from the decision of the Administrative Appeals Tribunal. The AAT decided the means by which the surcharge liability is calculated may not be in accordance with the law and therefore flawed. A technical point maybe but nevertheless a flaw.

Some of the material for this article has been sourced from a report by Barbara Drury in the Money section of the Sydney Morning Herald, dated Wednesday 5 March 2003. In that article the National Seniors Association is arguing in its pre-budget submission that people over 50 should be excluded from the surcharge. If we accept the cornerstone of a valid law with respect to tax is that the law should apply equally to all, relative to their means, then to argue a further group should be excluded on the basis that they are chronologically gifted, then does this not further the inequity of the regime.

Also in that article, Alex Dunnin, head of research at Rainmaker Information Services had a very optimistic view of the situation, he is quoted as saying "the battle to remove the surcharge is lost and the focus should be on simplifying its administration". Rest assured Sydney based Qantas captain Ian Woods is not ready to throw in the towel. It would appear the Senate Select Committee on Superannuation does not share the view of Mr Dunnin either. In its report released in December 2002, it agreed with the view of S.O.S that the superannuation surcharge is significantly inequitable and has recommended that it be phased out!

*So if you have not been to the S.O.S website at [www.sosaustralia.org](http://www.sosaustralia.org) I would urge members to sail in have look and make a donation. Thank you.*

### **Toll buys Brambles Shipping**

On or about 31 October 2002, Toll Transport Pty Limited entered into an Agreement with Brambles Australia Limited to buy the Brambles Shipping business.

Under the deal, Toll acquired the two Brambles ships the Tasmanian Acheiver and the Victorian Reliance. Toll also took over the charter of the Enterprise owned by Jebbens.

The Brambles employees were offered employment with Toll on overall, the same, or no less favourable terms and conditions of employment than they enjoyed with Brambles.

The parties have signed the necessary transfer document and the Brambles EBA continues with Toll.

### **EBA's**

| <b>Company</b>                            | <b>Certified</b>              | <b>Expires</b>        |
|---|-------------------------------|-----------------------|
| <i>Teekay Tankers</i>                     | <i>March 2002</i>             | <i>July 2004</i>      |
| <i>Teekay/ALSOC</i>                       | <i>Approved<br/>Sept 2002</i> | <i>October 2004</i>   |
| <i>Teekay<br/>Dry Cargo</i>               | <i>December 2002</i>          | <i>October 2004</i>   |
| <i>ASP</i>                                | <i>December 2002</i>          | <i>July 2004</i>      |
| <i>CSR</i>                                | <i>December 2002</i>          | <i>June 2004</i>      |
| <i>Cementco</i>                           | <i>Awaiting listing</i>       | <i>September 2004</i> |
| <i>Brambles<br/>now Toll</i>              | <i>January 2002</i>           | <i>March 2004</i>     |
| <i>Patrick</i>                            | <i>July 2002</i>              | <i>July 2004</i>      |
| <i>Stolt</i>                              | <i>August 2002</i>            | <i>September 2004</i> |
| <i>ISM</i>                                | <i>August 2002</i>            | <i>September 2004</i> |
| <i>Trident</i>                            | <i>June 2002</i>              | <i>July 2004</i>      |
| <i>P &amp; O Swire<br/>Containers Ltd</i> | <i>January 2002</i>           | <i>30 April 2004</i>  |

### **Rule Alteration Ballot Result**

The ballot for the alteration of the Rules of the Australian Maritime Officers Union was 84% in favour of the alteration.

The proposed changes were filed with the Australian Industrial Registry on 20 December 2002. On 21 January 2003, the Deputy Industrial Registrar issued a Certificate certifying the alterations.

### **Independent Review into Australian Shipping**

The IRAS report thought to be available by March 2003 has been delayed.

### **CSL**

In the last journal I mentioned that we were awaiting the decision of the Full Bench of the Australian Industrial Relations Commission in respect of the application by the three maritime unions to rope in CSL Pacific Shipping Inc as a respondent to the Maritime Industry Seagoing Award. The Full Bench handed down its decision on 27 September 2002. The Full Bench held the matter was within the jurisdiction of the Commission to hear and determine the application. The Commission decided the parties should show cause within 15 days before Raffaelli C as to why the Award should not be varied to include CSL Shipping Inc. CSL decided to seek relief in the High

Court of Australia from the decision of the Commission. The matter has been set down for hearing in Canberra on 6 May 2003.

### **TT-Line**

We are making progress with the Pursers and Shipwrights Agreements and expect to have an Agreement to distribute for consideration by the members shortly.

### **Adelaide Brighton Cement**

At the time of writing the proposed agreement was subject to a ballot.

### **Northwest Shipping**

At the time of writing a draft EBA for circulation is nearing completion.

**By John Wydell - AMOU Industrial Officer**

### **Goliath turns 10**

***On 2 January 2003 the Goliath docked at Forgacs Dockyard at Newcastle. The bottom was coated with the new tin free anti fouling paint so as to conform with IMO Convention.***



***"Goliath" in the dock***



***"Goliath" entering the dock***

### **Four Vanguard/ Woollybutt FPSO**

Australia's latest addition to the fleet the Four Vanguard FPSO is now on location west of Barrow Island and despite being about three months later than was first planned, the pieces of the jigsaw are coming together. This is an interesting and challenging situation with Agip the field owner, leasing from Vanguard the FPSO, and Vanguard contracting Total Marine Services and ABB for the non-management employees.

### **Glomar Jack Ryan**

Global Santa Fe's, *Glomar Jack Ryan* is still drilling in Australian waters. The vessel is behind schedule but is heading to the Great Australian Bight soon. The vessel has had a major find 200km off Dampier in the Jansz gas field for ExxonMobil. The field is the largest ever found in Australia and holds 20 trillion cubic feet of gas, which is equal to about 15% of Australia's current gas reserves. AMOU members are currently filling three deck officer positions, 2 DPO positions and a RO/Admin position.

### **Support Vessel Operator EBA's**

The AMOU has now registered EBA's to cover members in the offshore oil and gas industry until 2005. The agreements were struck with the major operators after several months of negotiations. In summary the agreements include pay rises in excess of CPI, increases in allowances and private medical insurance, penalty provisions for late crew changes, substantial improvements in the wording and enforceability of many clauses and improvements in superannuation and insurance.

Copies of the agreements will be available electronically as soon as they are published by the AIRC. Hard copies are available from the Western Area office.

### **Greater Sunrise Field**

Woodside has announced that the Greater Sunrise LNG project in the

Timor Sea could begin production in 2009. The project will cost around \$6.6 billion. The project has been delayed by the well publicised disputes over how to best develop the field and the agreements between Australia and East Timor over the treaty between the two countries.

The joint venture plans to build the world's first LNG production plant at sea to develop the estimated nine trillion cubic feet of natural gas and 320 million barrels of liquids held by the Greater Sunrise field. Other shareholders in the Greater Sunrise joint venture are Shell, ConocoPhillips and Osaka Gas Co Ltd.

### **Enfield FPSO**

Woodside has invited international shipbuilders to tender for construction of the hull of a floating production, storage and offloading (FPSO) vessel, which will be moored over the Enfield discovery, about 130km west of Onslow.

Enfield has reserves of more than 100 million barrels of oil and is one of three major discoveries in the permit that have total reserves of more than 300 million barrels.

The \$100million contract for the hull was expected to be awarded in the middle of 2003, with delivery in 2005 and first oil from the field scheduled for 2006.

The self propelled vessel will be a Suezmax-type trading tanker modified for FPSO operations. It will be a double-hull construction, will have deadweight of about 150,000 tonnes and will be about 270 metres long. It will have a capacity of about 900,000 barrels of oil and a production rate at peak of about 100,000 barrels a day.

### **New DP College Opens in Singapore**

The Dynamic Positioning Centre, has opened a DP training school in Singapore, in a joint venture with the Singapore Maritime Academy. The Dynamic Positioning Centre's main facility is in London. The Singapore courses including induction, advanced, familiarisation and appreciation courses are Nautical Institute accredited. The main benefit will be that it is a cheaper alternative in terms of travel and accommodation than the DP courses in the UK, Europe and US.

The AMOU does not endorse any course or college, but should you wish to investigate this option the website is [www.thedpcentre.com](http://www.thedpcentre.com).

**By Brad George -  
AMOU Industrial Officer**

## **WA AMOU Member becomes Madam Captain**

***Sue Vaughan has always been fascinated by the ocean but first realised the extent of this at the age of 16 with an adventure voyage on STS Leeuwin. It was a great voyage and she drove her friends mad, as she could not stop talking about it and said, "One day I want to be Captain of that ship". In March Sue became the first female Master Class One Officer from Western Australia and the first female Master for the Square Rigger STS Leeuwin.***

In 1991-1992 she was selected as crew to sail the National Sail Training Ship *STS Young Endeavour* around the world for the quincentenary of the discovery of America by Columbus and never looked back. The following year she obtained a cadetship with ASP Ship Management.

She worked on a variety of vessels with ASP and is grateful for the opportunities given by the cadet-training programme in existence at that time. She spent five years on the BP tanker *Australian Pride* and met her husband David Power there.

She then began work with BHP Billiton Petroleum on the FPSO *Griffin Venture* situated on the NW coast to the SW of Barrow Island. "It is a great job with a huge variety of responsibility". As well as loading and discharging the ship and other marine duties, she acts as Helicopter Landing Officer, Offshore Paramedic and Berthing Superintendent on their shuttle tankers.

She has recently moved on from *Griffin Venture* to become Facility Supervisor for the new Woollybutt project. This is being run by Vanguard Floating Production (Australia) with Agip.

Sue feels very lucky to have had so many wonderful experiences but says there have been many challenges as well. "My husband David works at sea and we miss each other a great deal. It's very important to remain strong and to keep sight of your goals in order to achieve them. I was told that luck is when planning and preparation meet with opportunity and I have never forgotten it. Through my volunteer work with *STS Leeuwin* I have learned that attitude is essential to success and that your boundaries really are limitless if you remain positive and strong. I enjoy helping young people to realise that fulfilling their dreams is possible. That even when challenges seem insurmountable you can conquer and overcome them."

***We wish Sue the best with the new Woollybutt FPSO.***



The Australian Merchant Navy Awards Council

# MERCHANT NAVY DAY

September 3<sup>rd</sup> 2002

**The Nation's first ever  
"Merchant Navy Day"  
celebrations commenced  
with a pre-dawn wreath  
laying and solemn  
remembrance service at  
the Hobart cenotaph,  
Tasmania.**

A small group of Merchant Seamen stood in silence in a mark of respect and to honour those seafarers who have no grave but the sea. As the sun rose, the monolithic granite obelisk stood stark against the morning sky, like a silent sentinel guarding a sailor's soul.

At 1200 hours, in the foyer of Tasmania's Parliament House, Merchant Seamen and their guests were welcomed and assembled in the magnificent dining room of the Parliament for the first historic "Merchant Navy Day" luncheon which was jointly sponsored by the Merchant Navy Association (Tasmania) and the Australian Merchant Navy Awards Council Foundation.

After the formal introductions and greetings, Captain Terence Rooney, BSc, FNI, visiting from Cardiff, Wales to help celebrate the historic occasion, was invested with the Australian Merchant Navy Service Cross. The Award was presented by Viscount Kenworthy of Morray, former head of the School of Marine Engineering at the Australian Maritime College.

Captain Rooney received the Award in recognition of his long sea service and an outstanding contribution to maritime education and training over many years. Prior to the formal luncheon the Loyal Toast to "Her Majesty the Queen, Master of the Merchant Navy and Fishing Fleets" was proposed and acclaimed by all.

Grace was delivered by Viscount Kenworthy in his further capacity as spiritual adviser to the Association.

Doctor Edgar Verralls, Registrar of the Australian Merchant Navy Awards Council, proposed the toast to "The Ladies", to which Ms Coralie Mallitt, former Head Librarian of the Australian Maritime College, responded on behalf of the ladies present. Toast to "The Guests" was proposed by Mr Leslie Michael, a former long serving electrical engineer with Feral Line and New Zealand Shipping Company.

Mr Bob Gibbs, a prominent honorary welfare worker among ex-servicemen and Merchant Seamen, responded most eloquently on behalf of the guests. Apologies were recorded from Captain and Mrs Richard Burgess of Devonport, due to ill health, and from those seafarers who were at sea on the historic day.

The Guest Speaker was Captain Daryl Smith, Liveryman and Member of the Court of the Honourable Company of Master Mariners and a Freeman of the City of London.

Captain Smith spoke of the current complete control of Australia's vital import/export maritime transport task by foreign flag shipping and the two-thirds ownership or control of the domestic coastal task by foreign interests. He commented that the current cost of such foreign control now stands at some nine billion dollars a year and is a major reason for the slump in the Australian dollar and the national indebtedness.

Captain Smith outlined some of the United Nations International Maritime Organisation moves against "ships of shame" and "flags of convenience". He explained some of the international regulatory moves against political and commercial greed and corruption in global shipping and

moves against piracy and the exploitation of Merchant Seamen from developing nations.

Captain Smith ended by emphasising that Australia does not have the shipping entrepreneurs and maritime businessmen with the abilities and skills to establish and maintain an internationally competitive maritime transport system, let alone the political will.

At the completion of the memorable luncheon in such an ambient venue, and with the extraordinary enthusiasm shown for "merchant Navy Day" by all those present, the Merchant Navy Association (Tasmania) warmly agreed to make the celebrations a continuing annual event.

History has been made and recorded and the Australian "Merchant Navy Day" has now been firmly established across the Nation with the support and goodwill of those concerned for the success of Australia's maritime future.

At 1430, fond farewells were made.  
**Hobart, 3<sup>rd</sup> September 2002**

*Special thanks to the Hon Michael Polley, Speaker, and the Staff in Parliament House, Hobart.*

## DEAD LINE

Contributions for the next issue of the "Maritime Officer" will be accepted up to the following date:

**11 July 2003**

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# Merchant Navy and the Community

***The six recipients - all smiles.  
Average age 49 years, average sea  
service 24 years.***

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The international profile of the Nation's Merchant Seamen was significantly enhanced at the annual Tasmanian Seafarers Memorial Service held in Triabunna on Tasmania's East Coast, 1100 hours, Sunday, 27<sup>th</sup> October 2002.

A highlight of the service was the formal investiture ceremony on behalf of the Australian Merchant Navy Awards Council in which six long serving mariners were invested with the Australian Merchant Navy Service Cross. In what is now a major annual Australian maritime event some 500 residents and visitors attended the service followed by a "Blessing of the Fishing Fleet" in the boat haven alongside the Memorial Park.

The public occasion was generously sponsored by Mayor Cheryl Arnol, Councillors, and Staff of the Glamorgan/Spring Bay Council backed by a seven member Seafarers Memorial Committee headed by Mrs Kathleen Ferguson, OAM. The Naval Reserve Band from Hobart, under the direction of Chief Petty Officer Robert Hillhouse was in attendance and provided the musical accompaniment for proceedings conducted from the recently built Merchant Navy Memorial Lectern.

A most impressive community inspired guard of honour representing Police, Fire Service, Ambulance, Emergency Services, Coast Guard, Community Service Groups, youth organisations and schools within the coastal municipality showed the intense depth of feeling and respect for all those who have lost their lives at sea in peace and in war and for those who have no grave but the sea.

The memorial service is a fervent cry to remind the nation of recent research showing seafaring is the most dangerous of all occupations, with fishermen 52 times, and Merchant Seamen 26 times more likely to be killed at work than the average.

Triabunna is a modern rural fishing and woodchip export centre on the northern reaches of Spring Bay. The woodchip export facility is supported by two large ocean-going tugs permanently positioned in the bay and manned as required by crews from Hobart.

Following strong community requests through the Merchant Navy Association (Tasmania), the investiture ceremony was conducted by Senator, Hon Eric Abetz,

BA, LLB, Special Minister of State. He was assisted by Chloe Haigh from Orford Primary School, and Natasha Parker from Triabunna High School.

The Australian Merchant Navy Awards Council was represented by Captain Daryl Smith, RFD\*, RD and the Merchant Navy Association (Tasmania) by Captain Viscount Kenworthy of Morray, RD\* who also delivered the "In Memoriam".

The investiture was a major boost to the morale of the six recipients and their families, and created considerable community and media awareness of the national importance of maritime transport to Australia's economic and social wellbeing. The Award presentations were even more significant in that each of the long serving seamen had at some time served in the ocean-going tugs positioned in the Triabunna port area.

While the special day was very important for the Award recipients and their families it was also a tangible acknowledgment by the broader Australian maritime community of the contribution made by a small coastal town to the social and professional standing of Australian Merchant Seamen.

Australia is currently a nation of shippers – not ship owners – and its international maritime future depends a lot on community support. The people of Triabunna are proudly giving that support, and in return the Merchant Navy is able to show its profound appreciation and encouragement to Triabunna.

## ***Triabunna***

*27<sup>th</sup> October 2002*

### **Congratulations to:**

***Ricky Percival Coombe***

***Roy Derrick Finnis***

***Brian Arthur Grundy***

***Roger Barry Sinclair***

***Terrence Leonard Thompson***

***Stephen Arthur Smith***

**on their award of the Australian Merchant Navy Service Cross.**



# AUSTRALIAN MERCHANT NAVY AWARDS

***The Nation's vital import/export maritime transport task is now under the complete control of foreign flag shipping with the domestic coastal task two thirds owned or controlled by foreign interests. The cost burden of foreign dominance is some nine billion dollars per annum, and is a major reason for the slide in the Australian dollar and the national indebtedness.***

**A**gainst such a background the **Council** was formed by assembly as an autonomous entity on the second of June 1998 by merchant seamen for the benefit of merchant seamen and the nation. On the 14<sup>th</sup> September 1999 a registered deed of settlement was executed creating two trusts:

***The Australian Merchant Navy Awards Council***

***The Australian Merchant Navy Awards Council Foundation***

***The Task and purpose of the Council is:***

***“to ensure due national and community recognition of the contribution made by merchant seamen to the development and prosperity of the nation in both peace and war.”***

***The Task and purpose of the Foundation is:***

***“to ensure the financial independence and integrity of the Council in perpetuity.”***

Both trusts are professional and charitable by nature and the **Foundation** is funded by personal generosity on a non-profit basis with members of the **Council** and **Foundation** giving freely of their time and resources in an honorary capacity. The Council has established three Merchant Navy specific awards, which are, in order of precedence:

***The Australian Merchant Navy Service Cross (a long service award)***

***The Australian Merchant Navy Meritorious Medal (an honours award)***

***The Australian Merchant Navy Commendation (an honours award)***

The order of precedence for **Council** Awards is after the Australian order of precedence, and before foreign awards and decorations, with the awards being worn on the left breast of the Merchant Navy uniform or on civilian dress.

The extremely high criteria for **Council** awards are based on long service in ocean going ships, merit and achievement and are set at “world best” standards. All awards are made without distinction of employment category at the absolute discretion of the Awards Council without any quota.

**Council** made its first awards on the 24<sup>th</sup> September 1998 this being the first “year of the ocean” of the United Nations and the 24<sup>th</sup> of September being the first “international day of the Merchant Mariner” declared by the United Nations International Maritime Organisation. This set the pattern for the awards to be seen by the global maritime community as being international in character.

On the 26<sup>th</sup> January 2002 the **Council** with broad support of numerous **Merchant Navy** related groups, declared the 3<sup>rd</sup> September in each calendar year to be observed as “**Merchant Navy Day**” in Australia.

Honours and awards are announced twice yearly, 26<sup>th</sup> January being the anniversary day of establishment of the Australian Shipping Register in 1981 and the 24<sup>th</sup> September the “international day of the Merchant Mariner”. Awards of the Service Cross may be made to seamen

serving at sea, or retired, at any time which is convenient throughout the year and all awards are presented with ceremony and dignity at formal investitures throughout Australia.

The warmth of feeling and the intense depth of pride with which the awards have been received right across the whole broad spectrum of the Australian and international shipping and maritime community has been a major boost to the morale of seafarers and the professional world standing of Australian merchant seamen in particular.

The **Council** has defined service in the Australian Merchant Navy as bona-fide employment in trading or commercial vessels employed on Articles of Agreement or similar forms of contractual employment in Australian flag ocean going ships trading between terminal ports outside the jurisdiction of port or harbour authorities.

The Service Cross, which is a long service award, must be applied for by merchant seamen, and the Meritorious Medal and Commendation, which are Merchant Navy specific honours awards, may be awarded upon nomination to the **Council**.

The minimum sea service for award of the Service Cross is fifteen years bona fide employment in the Merchant Navy. A gold laurel clasp to the Service Cross may be awarded for each additional fifteen years of sea service in ocean going ships.

The Meritorious Medal may be awarded to a merchant seaman. “For an exceptional contribution to the Merchant Navy over a long period of time.”

The Commendation may be awarded to a Merchant Seaman for a commendable contribution or achievement in any sphere of activity related to the Merchant Navy (such as, research, education, business, law, welfare, industrial relations, construction, design, safety or operations).

Subject to the Awards Criteria set by the **Council**, and at the absolute

discretion of the *Council*, the Australian Merchant Navy Commendation may, in exceptional circumstances, be awarded to a non-seafarer who has, as determined by the *Council*, made a commendable contribution in any sphere of activity or achievement associated with the Merchant Navy.

The *Council* and the *Foundation* are managed as separate entities.

The *Council* may accord the honorific, *Warden* of a designated port, to a distinguished seafarer performing honorary tasks in the best interests of the *Council*. Such honorifics are accorded as a form of recognition.

With the *Council* now firmly structured and established on a national basis, and with its task enthusiastically embraced by merchant seamen and the maritime community at large, a national benchmark has been set giving community recognition to the international standing of Australian merchant seamen.

Merchant seamen "on average" do not stay in seagoing employment for very long and as a result very few qualify under the criteria set for *Council* awards. This has resulted in the awards being highly regarded and much admired by those who have made a significant contribution to seafaring.

The *Council*, in the execution of its task, does not rely on government or commercial funding, and is free of political manipulation and commercial influence.

The outstanding success of the *Council* is best gauged in a global context by the high quality of applications and nominations, with the number of awards presented so far exceeding all previous expectations.

The *Council*, backed by the *Foundation*, is well placed to be a significant element in the professionalism and status of Australia's global maritime future.

*D A Smith*  
*Executive Officer*  
*11 November 2002*

## The Australian Merchant Navy Awards Council Foundation

Listed below are the members of the *AMNAC Foundation* effective from 11 November 2002. So far 964 Awards have been made. This includes 93 Awards to seamen with 45 years or more sea service. Congratulations on your fine efforts.

*Chairman: Mr Justice Richard Chesterman, RFD*  
*(Trustee) Queensland Supreme Court*

*Executive Officer: Capt Daryl Smith, RFD\*, RD, BapSc, FAIN, FNI, Master Mariner*

*Secretary: Capt Viscount, Kenworthy of Morray, RD\*, Beng, MA, MSc, PhD, BD, FRINA, RNR (Rtd)*

*Member: Senator, Hon, Eric Abetz, BA, LLB, Special Minister of State*

*Member: Mr Dean Summers, National Co-ordinator International Transport Federation*

*Member: Capt Ian Gray, GDipBus (Shipping), Bed, Master Mariner*

*Member: Professor Edgar Gold, CM, QC, BA, LLB, PhD, FNI, FOI, Master Mariner*

*D A Smith*  
*Executive Officer*  
*AMNAC Foundation*  
*GPO Box 1920*  
*Hobart TAS 7001*



**Australian Electoral Commission AEC**

**Mr Richard Hoare**  
**President**  
**Australian Maritime Officers Union**

**By fax: 02 9267 4766**

**Dear Mr Hoare**

**The Australian Maritime Officers Union Election E.No32 of 2003 refers.**

**The Deputy Industrial Registrar in Sydney has issued a decision for the conduct of an election for offices in your organisation.**

**The proposed timetable for the elections is as follows:**

**Nominations open: 30 April 2003**  
**Nominations close: 11 June 2003 at 4:30 pm**  
**Ballot Opens: 2 July 2003**  
**Ballot Closes: 20 August 2003 at 4:30pm**

**Yours sincerely**  
**Roy Hill**  
**Returning Officer**  
**2 April 2003**

# Who to contact for your employment or other queries

## Offshore Division

|                                     |  |
|-------------------------------------|--|
| Seagoing Industry                   | Contact Fred Ross or John Wydell at the Sydney Office                                      |
| Seagoing Certification and Training | Contact Fred Ross at the Sydney Office   |
| Offshore Oil and Gas Industry       | Contact Brad George at the Fremantle Office or Fred Ross /John Wydell at the Sydney Office |
| Floating Production Facilities      | Contact Fred Ross at the Sydney Office   |

## Port Services Division

|   |  |
|---|--|
| Port and Marine, Pilotage or Stevedoring issues | Contact Michael Fleming at the Sydney Office<br>If the query relates to a local issue please contact the nearest AMOU office |
| Tug, Ferries and Tourist Vessels                | Contact Kevin Pinch at the Sydney Office   |
| Dredging  | Contact Steve Groves at the Melbourne Office   |

## Other queries

|  |  |
|--|--|
| Seafarers Compensation and Rehabilitation issues | Contact Michael Fleming at the Sydney Office             |
| WA State issues                                  | Contact Brad George at the Fremantle Office              |
| SA/NT issues                                     | Contact Martin Price at the Adelaide Office              |
| Fees and Administration                          | Contact Inger Pereira or Lotta Ross at the Sydney Office |

## Mobile numbers:

|                         |                     |
|-------------------------|---------------------|
| <i>Fred Ross:</i>       | <i>0417-654 201</i> |
| <i>Michael Fleming:</i> | <i>0419-401 737</i> |
| <i>Kevin Pinch:</i>     | <i>0409-827 871</i> |
| <i>Steve Groves:</i>    | <i>0417-316 370</i> |
| <i>Brad George:</i>     | <i>0417-951 787</i> |
| <i>John Wydell:</i>     | <i>0439-408 901</i> |