



TORRES STRAIT

UNDER KEEL CLEARANCE (UKC)

PROPOSED GOVERNANCE ARRANGEMENTS

BRIEF FOR INTERESTED STAKEHOLDERS

INTRODUCTION

1. AMSA has developed a preferred approach for the governance of any new UKC arrangements in the Torres Strait, and through this brief seeks to provide information about AMSA's intentions to interested stakeholders.

BACKGROUND

2. Ships transiting the Torres Strait are currently limited to a maximum draught of 12.2 metres in conjunction with a 1 metre minimum UKC for draughts less than 11.9 metres, and a minimum UKC of 10% of draught for draughts of 11.9 metres or greater. This is implemented through the pilot "Code of Conduct" approved under Marine Orders Part 54.
3. The shipping industry stands to gain from improved efficiencies in the event that any new UKC management arrangements can enable draughts to be increased when tidal and other met-ocean conditions permit.
4. In late 2006 AMSA commissioned a consultancy by Thomson Clarke Shipping (TCS) on the potential use of UKC management systems in the Torres Strait. TCS found that the introduction of a UKC management system should improve knowledge about actual navigational safety margins and that this knowledge may permit ships of draughts greater than 12.2 metres to transit the strait in future. TCS pointed out that a large constraint on any potential increases in draught is the poor accuracy of existing hydrographic data, and the adequacy of met-ocean measurement systems (e.g. tidal heights, currents and waves).
5. TCS concluded that the most desirable governance model would be for an AMSA implemented and managed UKC management system, operated as an aid to navigation and integrated into ReefVTS. AMSA believes there are alternative approaches that can achieve the safety and integrity of the preferred approach whilst permitting a degree of commercial involvement and flexibility.

GOVERNANCE FRAMEWORK

6. AMSA is currently developing a governance framework which involves AMSA entering into an arrangement with a UKC system certification service provider who will, acting on AMSA's behalf, certify private sector UKC management system service providers and also undertake periodic audits to ensure ongoing safe operation.
7. Under this scheme there would be scope to have more than one commercial UKC management system service provider, depending on market requirements. The approach has parallels with the current commercial arrangements for the provision of coastal pilotage services for the inner GBR route, or the appointment of Classification Societies as a Recognised Organisation for the purpose of issuing ship survey certificates.
8. A diagram explaining the proposed governance framework is at Annex A and a matrix of functional responsibilities is at Annex B.

IMPLEMENTATION

9. There are now several tasks to be undertaken to establish and implement the necessary framework for UKC systems to operate safely in the Torres Strait, not the least of which is establishing a UKC system certification service provider. AMSA is separately seeking expressions of interest from Classification Societies to undertake this role.
10. AMSA is exploring the legislative implications of the governance framework and has received legal advice that AMSA has the necessary powers within its governing legislation to :
 - establish a UKC management system certification provider,
 - require pilots to be trained in the use of UKC management systems,
 - authorize a certification entity to undertake the certification of UKC management systems on its behalf,
 - audit the certification body and UKC management system providers, and
 - provide for sanctions for non-compliance by the certifying organisation, UKC system providers, pilotage providers and pilots.
11. AMSA will need to create a guidance document for UKC management systems, which provides benchmarks, and a modus operandi for the UKC management system certification service provider. Such a document will need to be created before a formal relationship with a classification society can be entered into.
12. Under the proposed framework AMSA would make available a 'base level' of met-ocean information to UKC management system service providers. This information will be limited to tidal heights and streams (measured at five existing AMSA sites) and wave data, to be collected using new infrastructure installed on buoys in the western approaches to Torres Strait. AMSA will improve the quality and integrity of existing met-ocean equipment and systems and provide communication systems to transmit met-ocean information in real-

time to UKC management system users. UKC management system service providers will be free to source additional met-ocean information, real-time or otherwise, to improve their levels of service.

13. ReefVTS would have a UKC monitoring role; however the nature and extent of this role requires further consideration and consultation and this will be progressed in parallel with the next steps of the project. To facilitate this monitoring role AMSA's met-ocean information will be provided to ReefVTS, and it would be a requirement for any UKC management system service provider to establish a 'slave system' within ReefVTS. In addition to the information exchange that currently takes place between ReefVTS and vessels, ReefVTS would provide a distilled level of monitoring information to the UKC system certification service provider to assist them with their ongoing monitoring and auditing responsibilities.
14. AMSA will make appropriate changes to the pilot 'Code of Conduct', approved under Marine Orders Part 54, and other guidance documentation within the pilot licensing regime. In particular a new Marine Notice will be required to replace Marine Notice 33/2002, covering UKC management in the Torres Strait.
15. In the near future AMSA will establish an advisory committee to oversee the development of the governance framework comprising industry bodies, the Australian Hydrographer, pilotage providers and pilots.

INDICATIVE TIMEFRAMES

16. The following steps and indicative timeframes are provided for guidance purposes:
 - Further consultation with Classification Societies and refinement of governance framework - October 2007
 - Additional hydrographic surveys - 2007 and 2008
 - Provision of met-ocean infrastructure – 2007 and 2008
 - Availability of new electronic navigational charts – mid 2009, possibly sooner depending upon National charting priorities.

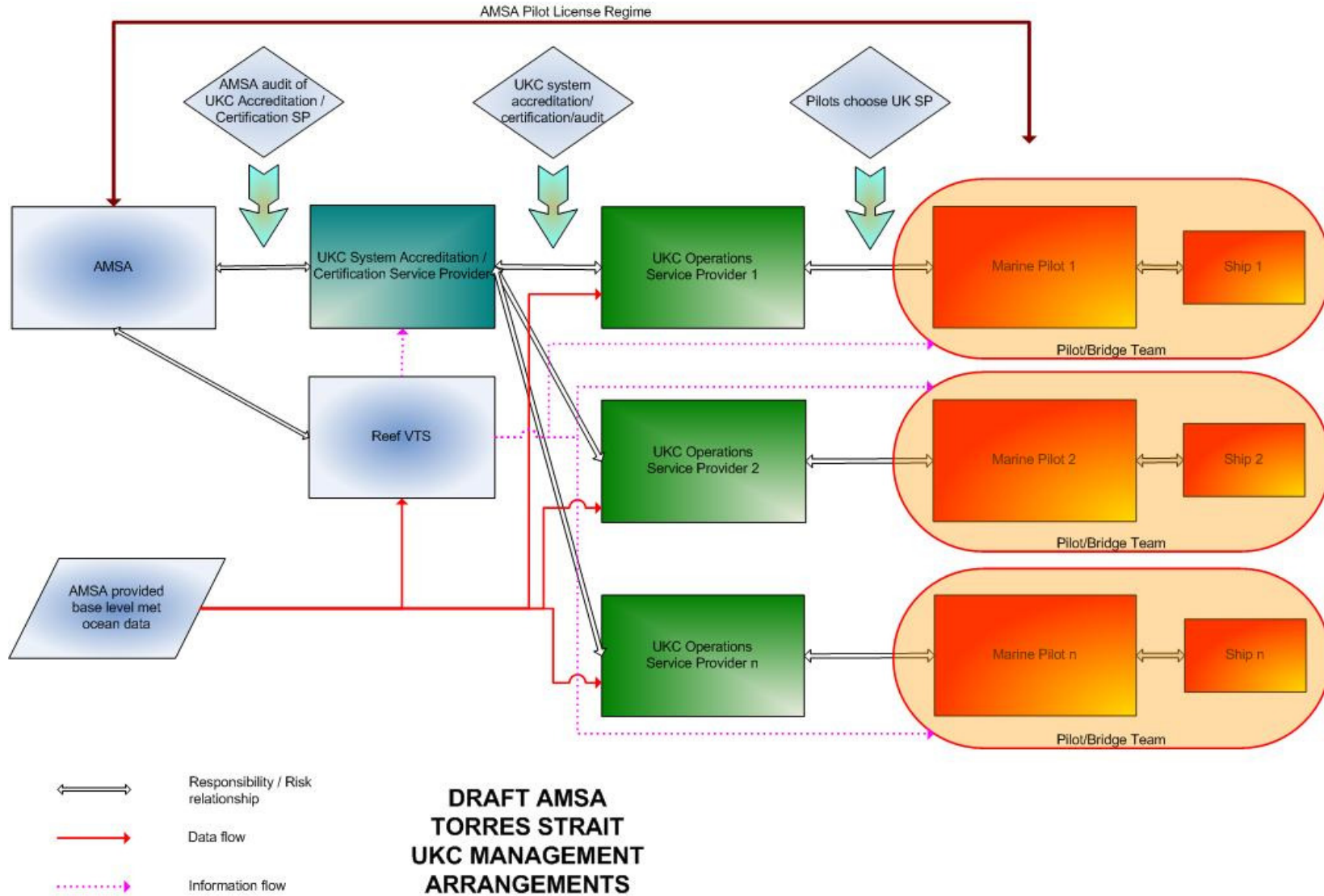
SUMMARY

17. AMSA is aiming to establish a UKC governance framework in which a Classification Society would certify UKC management systems for use in Torres Strait within a competitive market while ReefVTS would exercise an independent operational oversight role.
18. AMSA is looking to upgrade and expand its existing met-ocean infrastructure in Torres Strait to provide a 'base level' of real-time, reliable met-ocean data to commercial UKC management system providers.
19. It should be noted that the establishment of the necessary governance framework remains a work in progress.

20. Any questions can be directed to Nick Lemon (email: nsl@amsa.gov.au, or ph. 02 6279 5989) or Jillian Carson-Jackson (jac@amsa.gov.au, or ph. 02 6279 5092).

Australian Maritime Safety Authority

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Functional Roles for Torres Strait UKC Management Framework

AMSA	UKC System Certification Body	UKC System Vendors	Pilotage Providers	Pilots (ships with draughts exceeding 12.2 meters)
Determines UKC governance framework and functional requirements for UKC systems	Ensures UKC systems meet AMSA requirements	Provides UKC system to Pilotage providers on commercial basis	Contracts with UKC system provider	Uses UKC system after receiving training and amended licence
Contracts UKC System Certification body	Issues a certificate of compliance to UKC system vendor via delegation from AMSA	Receives certificate of compliance for its UKC system from Certification body	Selects certified UKC system for use by their pilots	Enters into commercial agreement with Pilotage Provider for use of the UKC system
	Advises AMSA of certified UKC systems			
	Undertakes recertification audits of UKC systems	Submits to periodic audit by Certification Body	Receives results of recertification audits	
Audits UKC System Certification body	Rectifies deficiencies identified in AMSA audit			
Amends Marine Order 54 as required. Issues new Marine Notice to replace MN 33/2002			Complies with Marine Order 54	Complies with Marine Order 54
Attaches conditions to pilots' licences			Ensures only pilots with UKC endorsement pilot ships with draughts exceeding 12.2 metres	Receives amended licence requiring use of certified UKC system when piloting ships with draughts exceeding 12.2 metres
Set training requirements for pilots		Provides training modules with UKC system	Provides pilot training package on UKC system to AMSA for endorsement	Completes UKC system training in order to be licensed for piloting ships with draughts exceeding 12.2 metres