



Consultation Feedback Report

Carriage of float-free EPIRBs on Class 1, 2, 3 and 4C domestic commercial vessels

Outline

Following an extended period of public consultation, the Australian Maritime Safety Authority (AMSA) will require certain domestic commercial vessels (DCVs) to carry a float-free emergency position-indicating radio beacon (EPIRB) where they operate more than 2nm seaward from land. Specifically, changes to the National Law regulatory framework will require the carriage of float-free EPIRBs on:

- all Class 1, 2, and 3 DCVs that are equal to or greater than 12 metres in length and operate beyond 2 nautical miles seaward from land;
- all Class 1, 2, and 3 DCVs that are less than 12 metres in length **operating in B or C waters** but only if the vessel does not have level flotation. Vessels that are less than 12 metres with level flotation can continue to carry the kind of EPIRB currently required and will not be affected by this proposal; and
- all Class 4C vessels that are equal to or greater than 12 metres in length, or less than 12 metres and do not have level flotation. Class 4C vessels that are less than 12 metres in length with level flotation can continue to carry the kind of EPIRB currently required.

These changes have been implemented through changes to the following instruments:

- **For vessels that are required to have a certificate of survey:** National Standard for Commercial Vessel (NSCV) Part C7B – Communications Equipment, NSCV Part F2 – Leisure Craft (for ‘new vessels’ and ‘transitional vessels’) and *Marine Order 503 (Certificates of survey – national law) 2018* (Marine Order 503) (for ‘existing vessels’); and
- **For non-survey vessels:** *Marine Safety (Certificates of survey) Exemption 2018* (Exemption 02) and NSCV Part G – Non survey, and *Marine Safety (Class C restricted operations) Exemption 2018* (Exemption 40). To be clear, these changes apply to ‘existing’ non-survey vessels.

The revised NSCV Part C7B, Part G and Part F2 have now been made and are available on the [AMSA website](http://www.amsa.gov.au). The revised NSCV parts commence on **1 January 2019** – **however, a 24 month transitional period has been allowed so that the new requirements will not become mandatory until 1 January 2021.**



Consultation Feedback

The proposed changes to the NSCV and explanatory material outlining the key changes (**Appendix B**) were published on the AMSA website for public consultation on 31 October 2017 for a six week consultation period, and provided to members of the following committees:

- Domestic Commercial Vessel Industry Advisory Committee (DCVIAC);
- Fishery Industry Advisory Committee (FIAC); and
- Maritime Agencies Forum (MAF).

Public consultation was then extended for a further seven weeks with the formal consultation period closing on 2 February 2018.

AMSA received a total of **47 submissions** in response to the proposed changes, a number of which responded directly to the eight questions outlined in the consultation explanatory material. These comments and AMSA's response to each comment is set out in **Table 1**. A synopsis of the consultation feedback is set out below.

AMSA also received submissions from individuals who had lost loved ones at sea. These submissions have not published in this report at the request of the authors however AMSA has given full consideration to the information contained in these submissions.

AMSA thanks all stakeholders who made a submission and appreciate the time taken the time to help inform consideration of this important issue.

Question 1	Do you think the proposed changes will improve safety for people on DCVs?
<p>Feedback summary</p>	<p>A high number of submissions indicated strong support for the proposed changes, and agreed that carriage of float-free EPIRBs on board DCVs will improve safety outcomes. For example, one stakeholder submitted: <i>'We believe that the additional EPIRB requirements are a good idea and one that industry as a whole should support and implement ASAP and not just wait for changes to legislation to require our vessels to have these. Safety at sea is our highest priority and anything we can do to improve the safety on our vessels for our crew should be done and we have installed a 'float – free EPIRB' on our trawler and are aware that a great many other vessels in the Qld East Coast trawl industry have done so as well.'</i></p> <p>Another stakeholder submitted: <i>'Recent incidents have shown that a Float-free EPIRB may have been of a benefit to shorten rescue times for persons in the water and may have also saved lives.'</i></p> <p>However, some stakeholders submitted that there may be limited safety benefits for some kinds of smaller vessels, while two stakeholders submitted that mandating the carriage of float-free EPIRBs on Class 1 vessels is unnecessary (these issues are discussed further below). In summary, the common concern from stakeholders who did not support the proposal was due to cost impacts for owners of DCVs affected by these changes.</p>
<p>AMSA's Response</p>	<p>AMSA thanks stakeholders for taking to the time to respond to this question. AMSA considers that the carriage of float-free EPIRBs will assist in improving safety outcomes across the DCV fleet. The additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. This functionality may have resulted in a material difference in past situations where a manually activated EPIRB was carried on a vessel and, for various reasons, was not activated.</p> <p>AMSA recognises that there are costs to industry associated with these changes; however, the safety benefits that a float-free EPIRB can provide (and when</p>

	<p>compared with manual only EPIRBs), in AMSA's view, are sufficient to warrant these additional costs. AMSA notes that the 1 January 2019 changes will only require vessels that are < 12m in length to carry a float-free EPIRB where they do not have level flotation and are operating in B or C waters. We also note that a 24 month transitional period from 1 January 2019 has been provided, which is discussed further below.</p>
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Question 2	Do you think that the requirement to carry a float-free EPIRB should apply to vessels that are Class 1, 2, 3, and 4 or should it only be limited to a particular class? If so, which class and why?
Feedback summary	<p>Most stakeholders submitted that the requirement should apply to vessels across all classes. One stakeholder submitted: <i>'I believe the float free EPIRB should apply to vessels of all classes. No matter that all classes of vessels are subject to different extremes and dangers, operate in different waters or carry different amounts and types of passengers, we should ensure their safety is always the number one priority.'</i></p> <p>However, as noted above, two submitters suggested that the requirement should not apply to passenger-carrying vessels '<30 miles to sea', for the following reasons: <i>'historically passenger carrying vessels do not have a history of disappearing at sea with <30 miles, however Class 3 commercial fishing vessels, especially trawlers do have a history of disappearing with no trace, so they should be encouraged to fit float free EPIRBs'</i>.</p> <p>One submitter stated that it should not apply to Class 4 vessels, however, six submitters stated that the requirement should apply to those vessels.</p>
AMSA's Response	<p>AMSA thanks stakeholders for taking to the time to respond to this question. We consider that it is appropriate that the requirement to carry a float-free EPIRB applies to Class 1, 2, 3 and Class 4C vessels. AMSA also takes this opportunity to refer to the capsizing and sinking of the (Class 1) passenger vessel <i>Leviathan II</i> as a case in point. Six people lost their lives. The Transportation Safety Board of Canada made three recommendations, one of which was:</p> <p><i>TSB Recommendation M17-03:</i> <i>The Department of Transport expedite the proposed changes to the Navigation Safety Regulations and expand its current emergency position-indicating radio beacon (EPIRB) carriage requirements to require that all commercial passenger vessels operating beyond sheltered waters carry an EPIRB, or other appropriate equipment that floats free, automatically activates, alerts search-and-rescue resources, and provides continuous position updates and homing-in capabilities.</i></p> <p>AMSA also notes that Maritime New Zealand has recently made changes to New Zealand Maritime Regulations which mandates the carriage of float-free EPIRBs on all commercial fishing vessels by 1 January 2019. Maritime New Zealand stated that this new requirement was prompted by recommendations from Coroners and the Transport Accident and Investigation Commission, following the deaths of 24 people over the last 11 years on inshore fishing boats that sank. For more information on these changes, visit the Maritime New Zealand website.</p> <p>However, as noted above, the changes commencing on 1 January 2019 will only apply to <12 metres in length vessels that are operating in B or C waters – that is, a significant distance from shore.</p>

Question 3	Do you think that the requirement to carry a float-free should apply to class 4 vessels (e.g. Class 4C vessels)?
Feedback summary	<p>AMSA received seven submissions specifically in response to the question on whether the requirement to carry a float-free EPIRB should apply to Class 4C vessels. Of these submission, six stakeholders supported the proposal also applying to Class 4C vessels, stating: <i>'I believe that Class 4 vessels being a hire and drive category, should also carry the float free EPIRB. It is my understanding that generally the people who hire these vessels have a limited understanding of the water, therefore their safety should also be paramount. Surely you would also want to protect people that are not necessarily experienced mariners.'</i></p> <p>By contrast, one stakeholder submitted that it should not apply to Class 4C vessels as they could not see it being practicable for hire and drive vessels. Another submitter suggested that the requirement to carry a float-free EPIRB on these kinds of vessels should be determined via a risk assessment, determined on a case by case basis.</p>
AMSA's Response	<p>AMSA thanks stakeholders for taking to the time to respond to this question. Given that the majority of stakeholders who responded to this question supported the proposal to apply the float-free EPIRB requirement to Class4C vessels, no changes have been made. The requirement to carry a float-free EPIRB will apply to Class 4C vessels that are ≥ 12 metres in length, or < 12 metres and do not have level flotation. Class 4C vessels < 12 metres in length with level flotation can continue to carry the kind of EPIRB currently required. AMSA considers that given Class 4C vessels are operated by persons without any commercial qualifications or experience, and are operating a significant distance from shore, extra safety benefits that can be provided by a float-free EPIRB in an emergency situation will be an important addition to the safety equipment carried by such vessels.</p>

Question 4	Are there any kinds of vessels which would be impacted by this proposal where it would be impracticable or of no safety benefits to carry a float-free EPIRB?
Feedback summary	<p>AMSA received a number of submissions in response to this question. Of these submissions, it was suggested that vessels that are 'open' in design should not be required to carry a float-free EPIRB, because the risk of not being able to access a manually activated EPIRB was reduced. One submitter stated: <i>'In my experience, regardless of length, all DCV vessels with a Cabin which are operating in Area C waters should be required to carry a float free EPIRB. Small open runabout style vessels could be exempt due to the ease of reaching under such vessels to grab the EPIRB and due to the impracticality of carrying float free apparatus on such vessels.'</i></p> <p>One submitter stated that vessels that are involved in a racing event that already have rescue provisions available may be excluded from the requirement.</p> <p>By contrast, one submitter stated that: <i>'Modern float-free category 1 EPIRBs are relatively small in size, cost effective and are provided with multiple mounting options, such that nowadays it is possible to mount them on almost any vessel, and in practise it is often the smaller vessels that get into trouble the quickest, and thus it is these vessels that will potentially see the greatest benefit from carrying a category 1 EPIRB.'</i></p>
AMSA's Response	<p>AMSA thanks stakeholders for taking to the time to respond to this question. AMSA notes feedback received indicating that the need to carry a float-free EPIRB on board an open-style vessels may not be as apparent as carriage on vessels that are fully closed; and that the issue as to where the float-free EPIRB should be placed may be problematic.</p>

	<p>AMSA considers that carriage of a float-free EPIRB on these kinds of vessels may improve safety outcomes, and that vessel owners should work with the manufacturer of float-free EPIRBs to determine where the best place to put the EPIRB on the vessel is. For example, in the event of a swell, rough chop or windy conditions, retrieving articles, including essential safety and communications equipment, from beneath an upturned boat that is floating bow high and mostly submerged is difficult and dangerous. Additionally, if the occupants are wearing a lifejacket, it may be difficult to retrieve anything from the upturned hull without first removing the lifejacket, which would not be recommended.</p> <p>On balance AMSA has decided that the most appropriate regulatory outcome having regard to feedback received is to mandate carriage of float-free EPIRBs on vessels that are < 12 metres in length without level flotation only if they are operating in B or C waters. We note that there are likely to be fewer open-style vessels operating in B or C waters.</p>
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Question 5	Do you agree that the requirement to carry a float-free EPIRB should apply to both ‘new vessels’ and ‘existing vessels’?
Feedback summary	<p>Similar to submissions received in response to question 2 and 3, most submitters stated that the requirement to carry a float-free EPIRB should apply to both ‘new vessels’ and ‘existing vessels’, with submitters generally of the view that the risk applies to both new and existing vessels. However, two submitters were of the strong view that the requirements should not apply to ‘existing vessels’ as they should be entitled to continue operating under ‘grandfathering’ arrangements without any changes.</p>
AMSA’s Response	<p>AMSA thanks stakeholders for taking the time to respond to this question. No changes have been made in response to feedback received. As stated above, AMSA recognises that there are costs to industry associated with these changes; however, the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs), in AMSA’s view, are sufficient to warrant these additional costs, including for owners of grandfathered/existing vessels. AMSA also notes that a 24 month transitional period from 1 January 2019 has been provided, and also that the proposal as it applies to vessels <12 metres in length has been limited only to those vessels without level flotation operating in B or C waters.</p>

Question 6	A one year ‘transitional’ period is proposed. AMSA considers that given the significant benefits for safety, a shorter transitional time is warranted. Do you think that a one year transitional period is reasonable? Should more/less time be allowed?
Feedback summary	<p>AMSA received significant feedback in response to this question, with a range of differing views being presented. In summary, roughly half of the submitters considered that a 12 month transitional period was appropriate and that implementing the changes should not be delayed. Some submitters suggested commencing the requirements immediately while one submitter suggested scaling back the transitional period to six months so the safety benefits can be realised sooner. Submissions received from EPIRB manufacturers also stated that a 12 month transitional period is reasonable and warranted given the safety benefits.</p> <p>However, AMSA also received strong feedback that the transitional period was not sufficient and that a longer transitional period should be provided to lessen</p>

	<p>the impact on the DCV fleet affected by the changes. Cost was the key reason for suggesting a longer transitional period, and also that some submitters EPIRBs had recently been replaced. Similarly, some stakeholders also suggested that the requirements should apply on 'on replacement' and not be a defined/set transitional date. For example one submitter stated: <i>'The [name] recommend that the introduction of the proposal be aligned with expiry of currently held EPIRB's on vessels. i.e. replace currently compliant EPIRB's with float free models when they reach expiry date. This will help to ensure compliance by keeping the cost to industry to an absolute minimum and prevent the waste of currently held and recently purchased models.</i></p> <p>Another stakeholder submitted: <i>'Our members support that this requirement be in force from 1 January 2019 but apply after that date on the expiry of the existing EPIRB aboard any vessel. This will lessen the impact on a vessel owner who has recently acquired a new EPIRB.'</i></p>
AMSA's Response	<p>AMSA thanks stakeholders for taking to the time to respond to this question. In light of the feedback received, AMSA considers that a 24 month transitional period (to 1 January 2021) to comply is appropriate and will ensure that the safety benefits derived from this proposal are not unnecessarily delayed while minimising the impact to affected operators.</p> <p>AMSA notes that owners of DCVs currently carrying a class 3 EPIRB have the option of selling their current EPIRB. This may be a viable option for some DCV owners—particularly if the battery on the current class 3 EPIRB is not due to expire for a number of years—and will minimise the overall cost impacts. AMSA has published information on buying and selling a second-hand EPIRB: see http://beacons.amsa.gov.au/purchasing/#Buying-and-selling-a-secondhand-beacon</p>

Question 7	Do you think the proposed changes to clauses 2.8 and 4.3 of NSCV Part C7B, clauses 1.4 and item 8 of schedule 2 of NSCV Part F2, and clause 1.4 and item 8 of schedule 1 of NSCV Part G are clear and easy to understand?
Feedback summary	All stakeholders who provided feedback in response to this questions agreed that proposed changed were clear and easy to read.
AMSA's Response	AMSA thanks stakeholders for taking to the time to respond to this question.

Question 8	Is there any specific guidance AMSA can provide to assist industry with the proposed changes, if implemented?
Feedback summary	A number of stakeholders submitted that clear and user friendly guidance to support the changed was necessary.
AMSA's Response	AMSA thanks stakeholders for taking the time to respond to this question. AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBS. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB. This information will be published on the AMSA website once finalised.

Key changes to proposal following consultation

AMSA made the following changes following external consultation:

- **vessels < 12 metres in length without level flotation:** in response to feedback, vessels that are <12 metres in length will only be required to carry a float-free EPIRB where they do not have level flotation **and** operate in B or C waters.
- **transitional period extended:** the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock. It is important to note that operators can voluntarily opt in to carry a float free EPIRB sooner than the end of the transitional period.
- **commencement date:** the new commencement date is 1 January 2019, instead of 1 April 2018, however as noted above, there is a 24 months transitional period.

AMSA has also made a minor change to NSCV Part C7B to replace the term 'coast' with 'land', and an associated definition, when describing where the 2 nautical mile distance will commence from. This change is intended to provide clarity as to when a float-free EPIRB will need to be carried, and will align terminology used in NSCV Part C7B with the terminology in NSCV Part G and Part F2 for EPIRB carriage requirements.

Consequential and complementary changes

Consequential changes will also be made to Marine Order 503, Exemption 02 and Exemption 40 to ensure that 'existing vessels' and non - survey vessels affected by the changes are also required to carry a float-free EPIRB by 1 January 2021.

Generic equivalent solution for vessels less than 7.5 metres

AMSA understands that carriage of a float-free EPIRB on some smaller, open vessels may be challenging. Over the coming months, will be developing a general equivalent solution (GES) for vessels less than 7.5 metres in length affected by these changes. AMSA will be consulting on this draft GES in due course.

Complementary changes - EPIRBs carried in inflatable coastal life rafts

As outlined in the Consultation Explanatory Material, Annex D of NSCV Part C7A to clarify that the kind of EPIRB to be carried in inflatable coastal life rafts is a *manually* activated EPIRB. This is to reduce the risk of the EPIRB inadvertently activating while it is inside the canister.

More information

AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB, things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register your float-free EPIRB with AMSA, and maintaining your float-free EPIRB.

For further information on these changes and whether you be impacted, please contact: standards.secretariat@amsa.gov.au

Further information on the operating capabilities of a float-free EPIRB can be obtained from the manufacturers' websites. AMSA has published a list of EPIRB manufacturers on the AMSA website:

<http://beacons.amsa.gov.au/about/beacon-types.asp>

Table 1 – Consultation submissions and AMSA responses

No.	Stakeholder group	Industry comment / submission	AMSA Response
1.	Vessel operator	<p>I would like to make a submission regarding changes to NSCV Part C Section 7B (float fee EPIRBS for Class 1, 2 and 3 vessels transiting more than 2nm from shore). We operate several vessels, one of which will be affected by this proposed change. It is a 2C (restricted C) vessel, restricted to 6nm offshore and 20nm from a VHF radio station. While the proposed change does have some general merit, particularly regarding the recent tragedy in SE QLD, this change is not appropriate to our operation. The vessel we operate is a 7.4m vessel with a half cabin. The vessel is fitted with positive level flotation underfloor foam. If the vessel were to capsize (the most likely method of foundering in this vessel type), a float-free EPIRB would most likely be trapped under the upturned hull. A hydrostatic release would be unlikely to reach the required 1.5 to 4 metres of water depth on a vessel fitted with level flotation as the hull will not sink to the required depth. Also, mounting of the EPIRB in a float-free position would require the EPIRB to be located in an area where it is not easily accessible (on top of the vessel cabin roof). In my opinion, the cost of installing a float-free EPIRB (\$960+) is exorbitant for the benefit derived for small vessel operators. The increased costs associated with the new national system are enough to deal with. My suggestion is to make vessels <12m in length, fitted with level flotation exempt from these amendments. The rationale for my submission is as follows: - On a small vessel, the operator of the vessel has the EPIRB located within arms reach and can manually activate the EPIRB in an emergency. - On a small vessel the Float-free EPIRB is more likely to be entangled or caught inside the upturned hull. - A float-free EPIRB fitted to a vessel fitted with level flotation would be unlikely to reach the required 1.5 to 4 metres of water depth required for the hydrostatic release</p>	<p>Thank you for your submission. Your feedback has been noted. To clarify, the proposal that was released for external consultation was that <u>all</u> Class 1, 2 and 3 and Class 4C vessels that are ≥ 12 metres in length operating beyond 2 nautical miles from coast will need to carry a float-free EPIRB. Vessels in these classes that are < 12 metres in length will also need to carry a float-free EPIRB, but only if the vessel does <u>not</u> have level flotation. Following consultation, we have decided to limit the changes for vessels that are <12m in length to those that do not have level flotation and which operate in B or C waters.</p> <p>With a view to limiting the cost impacts of this proposal to only what is necessary from a safety perspective, it was considered unnecessary to extend the proposal to vessels < 12 metres in length that have level flotation. This is because the design of vessels of around 12 metres in length means that they are likely to have significant reserve buoyancy. This means that if they capsize, they are likely to remain floating in an upturned position. In this case, the master/crew can locate the manually activated EPIRB and activate it without risk to safety. The 12 metre cut-off is therefore considered appropriate.</p> <p>AMSA also notes that clause 2.4 of the current NSCV Part C7B requires that all communications equipment must be installed and located so as to be readily available for its purpose in the event of an incident. Clause 3.4 of NSCV Part G and NSCV Part F2 impose a comparable requirement. This obligation will continue to apply under the proposed changes, and importantly, apply to vessels that may not be required to carry a float-free EPIRB.</p>

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		<p>to function. - The only place on a small vessel where the float-free EPIRB could be located is on the cabin roof which is not accessible should the EPIRB be required to be operated manually.</p>	<p>Finally, it is important to note that float-free EPIRBs can also be manually removed from their bracket, and manually activated without being submerged.</p>
2.	Marine Safety Agency	<p>I have investigated 2 DCV accidents involving cabin vessels <12m (9m&6M) which were capsized. In both cases the crew was trapped briefly inside the cabin. When they exited the cabin, they forgot the EPIRB (mounted inside cabin) and had no form of distress signal. Both crews were found by chance by passing vessels - one was 2 hours after the incident. Both incidents were within 2 nautical miles of the shore.</p> <p>In my experience, regardless of length, all DCV vessels with a Cabin which are operating in Area C waters should be required to carry a float free EPIRB. Small open runabout style vessels could be exempt due to the ease of reaching under such vessels to grab the EPIRB and due to the impracticality of carrying float free apparatus on such vessels.</p>	<p>Thank you for your submission. As noted above, the proposal that was released for external consultation was that <u>all</u> Class 1, 2 and 3 and Class 4C vessels that are ≥ 12 metres in length operating beyond 2 nautical miles from coast will need to carry a float-free EPIRB. Vessels in these classes that are <12 metres in length will also need to carry a float-free EPIRB, but only if the vessel does <u>not</u> have level flotation. Following consultation, we have decided to limit the changes for vessels that are <12m in length to those that do not have level flotation and which operate in B or C waters.</p> <p>With a view to limiting the cost impacts of this proposal to only what is necessary from a safety perspective, it was considered unnecessary to extend the proposal to vessels < 12 metres in length that have level flotation. This is because the design of vessels of around 12 metres in length means that they are likely to have significant reserve buoyancy. This, in turn, means that if they capsize, they are likely to remain floating in an upturned position. In this case, the master/crew can locate the manually activated EPIRB and activate it without risk to safety. The 12 metre cut-off is therefore considered appropriate. Furthermore, the 12 metre vessel-length threshold already exists across relevant general exemptions.</p> <p>AMSA also notes that clause 2.4 of the current NSCV Part C7B requires that all communications equipment must be installed and located so as to be readily available for its purpose in the event of an incident. Clause 3.4 of NSCV Part G and NSCV Part F2 impose a comparable requirement. This obligation will</p>

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			continue to apply under the proposed changes, and importantly, apply to vessels that may not be required to carry a float-free EPIRB.
3.	Vessel operator	I think its a fantastic idea, there have been numerous SAR's recently where a commercial vessels EPIRB was not registered and not used when the vessel was in trouble. Anything introduced to increase the awareness when a vessel is in trouble is a fantastic idea and this particular idea is not at a large cost to vessel owners/ operators.	Thank you for your submission. Your feedback has been noted, and AMSA welcomes your support. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be the most effective location signaling device in an emergency.
4.	Marine Surveyor	Good idea but only a (very) partial 'fix'. There is a need to survey/assess those vessels that are grandfathered or have weird, pre National System local survey requirements such as self-certification, to ensure that the stability and the other characteristics of the vessels are suitable so they do not capsize and sink in the first place! The political need to allow holus-bolus grandfathering of clearly substandard vessels is now long gone, the legislation settled and your power to affect good is almost total. There are intrinsically dangerous vessels in operation today. Look at the Canadian approach to fishing vessel stability which is aimed at educating fishers as to why stability matters and how it can be achieved. This could be part of the communication to bring people into the tent to start taking steps to protect themselves. This needs to have a proper, methodical and holistic approach to this issue rather than just hoping that the EPIRB will go off so SAR can take place. So I don't support this in isolation - and suggest that a more comprehensive strategy, (quickly, with industry support), be put together to address what is clearly a major issue. As flagged to Mick we are happy to assist you to put this program/strategy together.	<p>Thank you for your submission. Your feedback has been noted. AMSA notes that the proposed changes to require carriage of float-free EPIRBs will apply to vessels required to have a certificate of survey, and non-survey vessels (note: this does not include vessels that are 'non-survey' under Exemption 40 if the vessel has level flotation. Following consultation, the proposed changes will only apply to vessels <12 metres in length where they do not have level flotation and operate in B or C waters, including existing (grandfathered) vessels. Exemption 40 vessels that are <12 metres in length with level flotation are also excluded from the scope of the proposed changes. These changes will however apply to Exemption 40 vessels using another flotation option, for example basic flotation).</p> <p>Additionally, while AMSA considers that float-free EPIRBs are an important lifesaving device, they should be seen as one of a suite of crucial pieces of equipment that enhance safety at on the water. This is why the proposed changes with respect to float-free EPIRBs are part of a suite of regulatory measures AMSA is progressing to improve safety standards for DCVs. In addition to ensuring that float-free EPIRBs are carried across the fleet, AMSA has recently implemented changes to require all vessels to comply with the most up to date requirements for</p>

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			<p>safety equipment such as lifeboats, lifejackets and other potentially lifesaving equipment (contained in changes to Parts NSCV Part C7A, Part F1 and Part F2). AMSA considers those changes, in addition to the proposed changes with respect to float-free EPIRBs, will achieve tangible improvements in safety standards for DCV operators, especially those within the fishing industry.</p>
5.	Vessel operator	<ul style="list-style-type: none"> •All class 3 fishing vessels, existing and grandfathered unless under 7.5 m and fitted with level floatation. •In dispute for Class 1 vessels, as what evidence/incidents that have occurred in Australia where a ship has sunk/capsized, in where crew could not have typically activated an EPIRB. Class 1 trading vessels are designed to manage Stability and Damage conditions. •Class 3 vessels operate at times, with fishing tackle down far outside any well-thought-out stability information, due to unknown/dynamic influencing factors as for preserving safe stability at all times. 	<p>Thank you for your submission. A case in point involving a passenger vessel is the capsizing and sinking of the passenger vessel <i>Leviathan II</i>. Six people lost their lives. The Transportation Safety Board of Canada made three recommendations, one of which was:</p> <p><i>TSB Recommendation M17-03: The Department of Transport expedite the proposed changes to the Navigation Safety Regulations and expand its current emergency position-indicating radio beacon (EPIRB) carriage requirements to require that all commercial passenger vessels operating beyond sheltered waters carry an EPIRB, or other appropriate equipment that floats free, automatically activates, alerts search-and-rescue resources, and provides continuous position updates and homing-in capabilities.</i></p> <p>For further information, see the Marine Investigation Report (M15P0347), Transportation Safety Board of Canada, dated 25 October 2015 (available at: http://www.bst-tsb.gc.ca/eng/rappports-reports/marine/2015/m15p0347/m15p0347.asp).</p> <p>The recommendation made in the <i>Leviathan II</i> was referred to in a later coronial report on the death of Katie Nicola Taylor (11 October 2017) which involved the death of one person on board a passenger vessel.</p>

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			<p>Other incidents involving vessels other than Class 1 vessels include those investigated as a part of the following coronial inquiries:</p> <ul style="list-style-type: none"> - Inquest into death of Paul Gregory Clifford (available at: http://www.coronerscourt.wa.gov.au/files/Clifton%20finding.pdf) - Inquest into the suspected death of Peter Joseph Trcka (available at: http://www.courts.qld.gov.au/data/assets/pdf_file/0010/86734/cif-trcka-pj-20081224.pdf) <p>More recent investigations of marine incidents involving fatalities indicate that a manually activated EPIRB was on board when the vessels capsized; however, was not activated.</p>
6.	Vessel operator	<p>AMSA's proposal to mandate the use of float free EPIRB's needs further consideration especially in consultation with State jurisdictions in the first instance to further encourage the use of EPIRB's and in certain cases allow the use of water proof/floatable PLB's (which can be carried on the person) instead of EPIRB's, for both commercial and recreational vessels. Also - In SA it is mandatory to carry flares as soon as a vessel is in 'salt' water, no matter how far they are from shore. Mandating the use of registered GPS chipped EPIRBs or PLB would be more appropriate. Float free devices do not always "float free" especially if a vessel capsizes unexpectedly!</p> <p>The current requirements for EPIRBs are outdated, especially for inshore vessel operations eg <20nm from shore. The requirement for EPIRBs to float in an upright position and transmit for 48 hrs was implemented with old analog 121.5 MHz technology and has not changed. Current digital 406 EPIRBs (especially GPS chipped) can transmit accurate and timely</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA recognises that the effectiveness of an EPIRB that is designed to float-free and automatically activate depends on where the EPIRB unit is mounted on the vessel and ensuring the hydrostatic release unit is serviced every two years (or otherwise provided for in manufacturers' Instructions for the particular EPIRB unit). Most float-free EPIRB manufacturers include detailed advice on how to install and maintain the EPIRB unit in their respective Instruction Manuals. For example, this includes ensuring that:</p> <ul style="list-style-type: none"> - the EPIRB is mounted in a position where it is readily accessible in an emergency and protected from inadvertent damage; - in the case of an emergency auto-release, the EPIRB is able to surface freely without becoming trapped by the sinking vessel or entangled with associated external structures; and

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		<p>information, and there are now a range of very small water proof and floatable GPS chipped PLB's which can be carried in a person's pocket, but unfortunately they do not meet the outdated requirements of an EPIRB. The use of these PLB's on smaller vessels and eg within 20 nm of shore should be encouraged and allowed in replacement of EPIRBs.</p> <p>We have had three boating fatalities in SA over the last couple of years (two incidents had multiple fatalities), each vessel was carrying all required safety equipment including EPIRB's. On each occasion the vessel has obviously capsized or sunk suddenly and unexpectedly, with no distress received and in two incidents no persons/bodies located, plus countless hours and >\$100,000 spent searching for the missing persons/vessels. In all occasions they had most probably perished or succumb to the elements prior to relatives reporting them overdue. If someone on board these vessels had a PLB in their pocket, then there is a high probability that rescue authorities would have been immediately alerted to their distress situation, and they could have been saved!</p> <p>I can list a number of other incidents over the last 5 years where if the occupants had a PLB in their pocket which they could activate when they unexpected ended up in the water, then they would have been saved in a more timely and efficient manner, saving them undue pain & suffering waiting to be rescued and saving rescue agencies numerous hours, resources and money searching.</p> <p>Whenever I go out in my own private vessel, I carry a registered GPS chipped water proof/floatable PLB in my pocket for all of the reasons mentioned above!</p>	<ul style="list-style-type: none"> - the EPIRB is mounted in a position that is located externally to the vessel in a clear open space. <p>This would mean, for example, that fitting a float-free EPIRB inside the wheelhouse or below deck would not be advisable, as neither are locations that would make it readily available for use and may limit the ability for the unit to deploy and for the signal to be detected.</p> <p>AMSA also considered mandating the carriage and use of personal locator beacons (PLBs) instead of float-free EPIRBs. The safety benefits that can be achieved through the use of PLBs relies heavily on individuals remembering to wearing it (either on their lifejacket or on a lanyard) which poses a similar inherent limitation as EPIRBs that can only be manually activated and manually removed from their mountings. Additionally, the costs associated with each individual having a PLB will, in most cases, significantly exceed the cost of one float-free EPIRB being carried on the vessel. Additionally:</p> <ul style="list-style-type: none"> - PLBs are primarily designed for land use. Many do not float. However, floating versions or retrofitting options to make the PLB float, are available; - some models must be held upright in a vertical position to transmit effectively. This may be difficult in a marine environment, and if a rescue asset is many hours away (the fisher may need to hold the PLB whilst trying to stay afloat for example); - battery life is often quoted at 24 hours; and - generally registered to an individual. Boat details (stores, size, drift) may not be forthcoming on activation.

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		Please consider changing these requirements to keep up with the technology and save lives in the process.	
7.	Vessel operator	<p>I believe that this is just another unjustified cost to the fishing industry. At the very least it should only apply to the type of vessels that have been having issues. At some stage we have to take responsibility for ourselves and our crew without interference from your department. You making and changing so called laws and regulations in the name of so called safety are actually making our industry unsafe by taking everything out of the hands of the owners and skippers. This should only be a recommendation so any one wanting to change can. Our present Epirbs are all new and now have gps in them and will make this expensive as our current ones are stored in a dry clean environment and will work when needed, any other float free type as you are trying to implement will be exposed to the elements and not always work when needed on a small fast going vessel. Larger displacement hulls that do not pound may be better suited.</p> <p>How many lives do you consider this would have saved in the last 10 years (not might have) also whilst thinking about this take into consideration the lives lost on the road by car accidents. I think you will find that without any more interference our safety record is way below the road carnage. Just back of a bit and give the fisherman a bit of credit.</p>	<p>Thank you for your feedback. Your feedback has been noted. As noted above, there have been a number of marine incidents resulting in fatalities where a coronial investigation has found that the carriage of a float-free EPIRB instead of a manually activated EPIRB may have resulted in a materially different outcome. The additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. In these past situations, a manually activated EPIRB was carried on a vessel but, for various reasons, was not activated.</p> <p>We note your broader concerns, and assure you that AMSA is increasingly moving toward performance-based regulation that is premised on the operator being best placed to make decisions to ensure the safety of the vessel. This means providing flexibility in how certain requirements are met. However, for the reasons cited above, we think consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant this more prescriptive approach.</p>
8.	Industry Association	<p>In response to the public consultation on float free EPIRBs I would like to submit the following comments:</p> <p>My biggest concern is stowage and security. As we saw in a recent tragic event, a liferaft failed to deploy as it was trapped under a capsized vessel. The same could happen to a float free EPIRB that is reliant on a hydrostatic release if it is not mounted in an area free from obstruction regardless of the vessels aspect. There will need to be some standard regarding the mounting of a</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA recognises that the effectiveness of an EPIRB that is designed to float-free and automatically activate depends on where the EPIRB unit is mounted on the vessel and ensuring the hydrostatic release unit is serviced every two years (or otherwise provided for in the manufacturers' Instructions for the particular EPIRB unit). Most float-free EPIRB manufacturers include detailed advice on how to install</p>

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		<p>float free EPIRB or they will not release and activate in some circumstances.</p> <p>Fixing them to a handrail would increase the risk of false activations by them being damaged or indeed lost during extreme weather. Having them too obvious could also lead to theft in marinas and despite the fact they come pre-programmed, bored youth these days have little or no respect for other people's property.</p> <p>If these issues can be overcome then in response to the questions posed:</p> <ol style="list-style-type: none"> 1. Yes, it will definitely increase safety on DCV's 2. It should apply to all class 1,2 and 3 vessels. It should not be based on where they currently operate but where there can operate depending on their COO or survey. 3. No – can't see it being practical and hire and drive vessels 4. There will be some constraints on smaller vessels hence my opening comments. 5. It should apply to all vessels 6. One year is acceptable – one needs to consider equipment supply and fitting 7. Yes, but I would like to see a standard for fitting (location) of the bracket 8. Yes, as mentioned a few times – the location of the unit so it can actually float free regardless of the vessels aspect 	<p>and maintain the EPIRB unit in their respective Instruction Manuals. For example, this includes ensuring that:</p> <ul style="list-style-type: none"> - the EPIRB is mounted in a position where it is readily accessible in an emergency and protected from inadvertent damage; - in the case of an emergency auto-release, the EPIRB is able to surface freely without becoming trapped by the sinking vessel or entangled with associated external structures; and - the EPIRB is mounted in a position that is located externally to the vessel in a clear open space; and remember that the craft may list or roll during submersion. <p>This would mean, for example, that fitting a float-free EPIRB inside the wheelhouse or below deck would not be advisable, as neither are locations that would make it readily available for use and may limit the ability for the unit to deploy and for the signal to be detected.</p> <p>Regarding the possibility of theft of units, AMSA also notes that under current and proposed EPIRB requirements, the EPIRB must be registered with AMSA, which may act as a disincentive for a person proposing to steal a float-free EPIRB unit.</p> <p>Following consultation, the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock.</p>

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9.	Vessel operator	<p>[I have been informed that] there is a proposal for over 12m vessels, to require a new style of EPIRB, Which will automatically activate upon contact with water.</p> <p>Myself and other vessel owners are strongly against this for several reasons</p> <ul style="list-style-type: none"> • We though all vessels were in the same area of operation meaning, if new rules come in all primary boats should have to carry one. • After discussions with several boat operators of over 12m vessels the current position of epirb would not get wet if the vessel sunk in most of the operating areas. (The vessel would be sitting in 10 foot of water) • This is also an unfair cost to be burdened on over 12m vessel owners and our fishery only allows us to go to 14m on our primary fishing licence. Why should people be penalised for an extra 2m • We already have enough rules Regs & Fee's. • Our fishery does not allow us to go more than 7mile from the coastline. <p>Would like to hear back for you on this matter as there is concern with some of the larger boat owners with this issue.</p>	<p>Thank you for your submission. Your feedback has been noted. In an emergency situation in which a vessel rapidly capsizes or sinks, the survival of passengers and crew often depends on the successful transmission of a distress signal to search-and-rescue resources. The additional safety benefit that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. This functionality may have resulted in a material difference in past situations where a manually activated EPIRB was carried on a vessel and, for various reasons, was not activated.</p> <p>It is important to note that float-free EPIRBs can also be manually removed from their bracket, and manually activated without being submerged.</p> <p>AMSA recognises that there are costs to industry associated with these changes; however, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs.</p>
10.	Vessel operator	<p>We agree with the AMSA proposal to make changes that will apply to vessels required to have a certificate of survey; vessels that are exempt from the requirement to have a certificate of survey; and existing ('grandfathered') vessels :</p> <p>That</p> <ul style="list-style-type: none"> • From 1 January 2019, all class 1, 2 and 3 DCVs that are equal to or greater than 12 metres in length and operate beyond 2 nautical miles seaward from the coast, will be 	<p>Thank you for your submission. Your feedback has been noted, and your support is welcomed. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signaling device in an emergency.</p> <p>Following consultation, a 24 month transitional period (to 1 January 2021) to comply with the changes will be provided to</p>

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		<p>required to carry an EPIRB that is designed to automatically activate and floats free (float-free EPIRB).</p> <ul style="list-style-type: none"> Class 1, 2, or 3 DCVs that are less than 12 metres in length operating in beyond 2 nautical miles will also need to carry a float-free EPIRB by 1 January 2019 but only if the vessel does not have level flotation. Vessels that are less than 12 metres with level flotation can continue to carry the kind of EPIRB currently required. <p>We believe that the additional EPIRB requirements are a good idea and one that industry as a whole should support and implement ASAP and not just wait for changes to legislation to require our vessels to have these. Safety at sea is our highest priority and anything we can do to improve the safety on our vessels for our crew should be done and we have installed a 'float – free EPIRB' on our trawler and are aware that a great many other vessels in the Qld East Coast trawl industry have done so as well.</p>	<p>allow time for owners to purchase a float-free EPIRB (where necessary), and to allow EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase. However, AMSA notes that while a 24 month transitional period has been provided, the revised NSCV Part C7B and Part G (and associated exemption instruments) ensures owners of DCVs that will be impacted by these changes can choose to transition over to carrying a float-free EPIRB now, particularly if the battery on the EPIRB currently carried on the vessel is due to expire. AMSA will also be communicating the safety benefits of float-free EPIRBs during this transitional period to encourage carriage earlier, and will be encouraging float-free EPIRB manufacturers and suppliers to suggest that prospective customers purchase a float-free EPIRB instead of a manually activated unit.</p>
11.	Marine Safety Agency	<p>Thank you for the opportunity to supply our feedback on your consultation for the Carriage of Float-free EPIRBs on Class 1, 2, and 3 Vessels. Please find the responses to items as outlined in the consultation paper.</p> <p>1. Do you think that the proposed changes will improve safety for people on DCV's? Yes, recent incidents have shown that a Float-free EPIRB may have been of a benefit to shorten rescue times for persons in the water and may have also saved lives.</p> <p>2. Do you think the requirement to carry a float-free EPIRB should apply to vessels that are class 1, 2, and 3 or should it only be limited to a particular class? If so, which class and why?</p>	<p>Thank you for your submission. Your feedback has been noted.</p> <p>As noted above, the 12 month transitional period originally proposed has been extended to 24 months (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary), and to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase. However, AMSA will be communicating the safety benefits of float-free EPIRBs during this transitional period to encourage carriage earlier, and will be encouraging float-free EPIRB manufacturers and suppliers to suggest that prospective customers purchase a float-free EPIRB instead of a manual activation only units.</p>

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		<p>The requirement should apply to all classes of vessels.</p> <p>3. Should the requirement to carry a float-free apply to class 4 vessels (for example, class 4C vessels?) Yes, the risk applies to all ships due the restricted access to a mounted EPIRB at a time of vessel roll over.</p> <p>4. Are there any kinds of vessels which would be impacted by this proposal where it would be impracticable or of no safety benefits to carry a float EPIRB? Vessels involved in a racing event that already has rescue provisions available may be excluded from the requirement.</p> <p>5. Do you agree that the requirement to carry a float-free EPIRB should apply to both new and existing vessels'? Yes, the risk applies to all ships.</p> <p>6. A one year transitional period is proposed. AMSA considers that given the significant benefits for safety, a shorter transitional time is warranted. Do you think that a one year transitional period is reasonable? No, given the benefits of this item and relatively lost cost to purchase we believe a period of 6 months is more appropriate. But we do recognise that supply of this equipment may become problematic at first.</p> <p>7. Do you think the proposed changes to clauses 2.8 and 4.3 of NSCV Part C7B and item 8 of schedule 1 of NSCV Part G are clear and easy to understand? Yes.</p> <p>8. Is there any specific guidance AMSA can provide to assist industry proposed changes if implemented?</p>	<p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBS. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB. We will take your suggestions onboard when preparing this guidance.</p>

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		<p>Clear concise plain english guidance notes on the fitting of the device is required to support the implementation. We have some experience with the benefits of the float free EPIRB being negated by where and how people store and fit them. Therefore the guidance material could also include examples of specific does and don'ts. Also for those operators whose vessels will be converting to the category 1 may need specific advice about the need for a class 2 EPIRB.</p>	
12.	Vessel operator	<p>When AMSA (5 AMSA workers) came to Pt Lincoln with their first meeting on the change over from SA government to AMSA it was stated our vessels will be grandfathered and nothing will change (in front of solicitors and 30 other fishers) well that's looking like the biggest lie in history. My 3 restricted vessels don't need an EPIRB full stop and will not be getting one unless all vessels of the same size have to get them, namely recreational vessels. It looks like AMSA is changing their word and the goal post I will be speaking to the solicitor that was at the meeting I will not hesitate to take legal action on this as AMSA are not sticking to their word and promises not happy</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA notes that existing 'Restricted C' vessels are generally exempt from the requirement to have a certificate of survey under Exemption 40. Following consultation, the proposed changes will only apply to vessels <12 metres in length where they do not have level flotation and operate in B or C waters. Exemption 40 vessels that are <12 metres in length with level flotation are also excluded from the scope of the proposed changes. These changes will however apply to Exemption 40 vessels using another flotation option, for example basic flotation.</p> <p>AMSA has maintained its commitments in the 2012 Regulatory Plan for the National System that the impact on existing vessels will be minimised, where possible, through preserving existing arrangements or 'grandfathering'. The majority of design, construction, equipment and crewing standards remain 'grandfathered' for existing vessels. However, the 2012 Regulatory Plan also provided that:</p> <ul style="list-style-type: none"> - grandfathering arrangements will apply to the vessels indefinitely, unless incident data dictates an alternate approach; and - AMSA will continually reassess the safety of the national fleet in light of incidents, emerging risks, changing technology and/or changing expectations.

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			<p>This would include reassessing grandfathered vessels in the future if the need arose on a safety basis.</p> <p>As outlined above, there have been a number of marine incidents resulting in a number of fatalities where a coronial inquiry found that the carriage of a float-free EPIRB instead of a manual only EPIRB may have resulted in a materially different outcome. Therefore, AMSA considers it necessary to extend the proposed changes also to vessels operating under grandfathered communication equipment arrangements. If your vessel is <12 metres in length, the changes will only apply if it does not have level flotation and operate in B or C waters.</p> <p>We note that Exemption 40 does require that an EPIRB be carried on board a vessel, which can be either a manually activated EPIRB or a float-free EPIRB. This will not be changed by this proposal, unless the vessel does not have level flotation and is using another flotation option (for example, basic flotation).</p>
13.	Marine Surveyor	Access to EPIRBs located in the wheelhouse is not conducive to rapid deployment. It is a major advantage to have them float free from a clear space away from entanglements, which may prevent them from deployment.	<p>Thank you for your submission. Your feedback has been noted. AMSA recognises that the effectiveness of a float-free EPIRB depends on where the EPIRB unit is mounted on the vessel and ensuring the hydrostatic release unit is serviced every two years (or otherwise provided for in the manufacturers' instructions for the particular EPIRB unit). Most float-free EPIRB manufacturers include detailed advice on how to install and maintain the EPIRB unit in their respective instruction manuals. For example, this includes ensuring that:</p> <ul style="list-style-type: none"> - the EPIRB is mounted in a position where it is readily accessible in an emergency and protected from inadvertent damage; - in the case of an emergency auto-release, the EPIRB is able to surface freely without becoming trapped by

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			<p>the sinking vessel or entangled with associated external structures; and</p> <ul style="list-style-type: none"> - the EPIRB is mounted in a position that is located externally to the vessel in a clear open space. <p>AMSA will also be publishing guidance shortly to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs.</p>
14.	Vessel operator	<p>Information Only - Cost of Float-Free EPIRB Safelink Sportpro + Cat1 with GPS \$985.00 including GST</p> <p>Responses to Specific Questions for Industry Question 1: Do you think the proposed changes will improve safety for people on DCVs? - If it is a successful control to an identified risk, then yes it would be an improved safety outcome. - However the requirement for float free EPIRBs as presented is a blanket requirement that doesn't allow for risk assessment</p> <p>Question 2: Do you think that the requirement to carry a float-free EPIRB should apply to vessels that are class 1, 2 and 3, or should it only be limited to a particular class? If so, which class and why? - It should be based on a risk assessment that establishes the need as an adequate control as a response to an identified risk of rapid sinking and should consider not only the class of vessel but a broad range of factors such as:</p> <ul style="list-style-type: none"> • area of operation, • type of operation, • construction and configuration of the vessel • number of crew • duration of voyage (day port to port operation or offshore coastal voyages) 	<p>Thank you for your submission. A number of cheaper float-free EPIRB options are available online. AMSA does not endorse any particular kind of EPIRB; however, we have published a list of EPIRB manufacturers and suppliers on its website: http://beacons.amsa.gov.au/about/beacon-types.asp</p> <p>As noted above, there have been a number of marine incidents resulting in fatalities where a coronial inquiry has found that the carriage of a float-free EPIRB instead of a manually activated EPIRB may have resulted in a materially different outcome. The additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. The proposed changes will address this limitation, and help minimise the risk to persons on board DCVs subject to the proposal.</p> <p>AMSA suggests that it may be difficult to provide a regulatory outcome which is dependent upon six different variables and which do not align or otherwise recognise the existing EPIRB carriage requirements. NSCV Parts C7B, Part G and Part F2 already require Class 1, 2, 3 and 4 vessels required to carry an EPIRB (which can be a class 2 or a class 3 model). The proposed changes leverage off that requirement; however, additional considerations have been added, including whether</p>

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		<ul style="list-style-type: none"> whether a coastal life raft with an EPIRB is already on board (liferaft on hydrostatic release means the EPIRB is also float-free) <p>Question 3: Should the requirement to carry a float-free apply to class 4 vessels (e.g. class 4C vessels)? - Same response as above, Class 4 vessels includes a range of types of vessels, construction and configuration and areas of operation. A risk assessment should determine if there is a need for a float-free. The distinction should not be whether the persons onboard are crew, passengers or bareboat/hire and drive charterers.</p> <p>Question 4: Are there any kinds of vessels which would be impacted by this proposal where it would be impracticable or of no safety benefits to carry a float-free EPIRB? - See response to Question 2</p> <p>Question 5: Do you agree that the requirement to carry a float-free EPIRB should apply to both 'new vessels' and 'existing vessels'? - The distinction should be based on whether a float-free is an adequate control to an identified risk not based on the age of the vessel alone.</p> <p>Question 6: A one year 'transitional' period is proposed. AMSA considers that given the significant benefits for safety, a shorter transitional time is warranted. Do you think that a one year transitional period is reasonable? Should more/less time be allowed? - Other transitional periods have been based on time of expiry or replacement. However this should be determined through risk assessment.</p>	<p>or not the vessel has level flotation and, following consultation, the changes only apply to vessels <12 metres in length where they are operating in B or C waters. This recognises that vessels that do have level flotation are less likely to capsize.</p> <p>While AMSA prefers to adopt regulatory policy positions that are performance-based, and allow for owners of DCV to conduct risk assessments to determine what equipment should be carried to eliminate or minimise those risks, the consequences of a master and/or crew not being able to activate an EPIRB in the event on emergency likely include loss of life. It is therefore considered appropriate to mandate the carriage of float-free EPIRBs and not make the carriage tied to the outcomes of any such risk assessment.</p> <p>As noted above, the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock.</p>

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		<p>Question 7: Do you think the proposed changes to clauses 2.8 and 4.3 of NSCV Part C7B and item 8 of schedule 1 of NSCV Part G (below) are clear and easy to understand?</p> <p>- Fair</p> <p>- However following are general comments on one incident and the example of international changes and the supporting document</p> <ul style="list-style-type: none"> • One of the incidents referenced in the consultation paper did not fully support the proposal as it was the findings from the inquest into a Fisherman overboard with no recommendations related to vessel capsize and float free EPIRBS. • The example of Maritime New Zealand limited implementing float free EPIRBS for Class 3 vessels between 6 – 24m only • The Estimated Annual Regulatory Cost and Savings to Industry was difficult to put in the context of our business with the cost estimates not matching the costs determined for full fleet EPIRB replacement so it was of little assistance as a consultation document. <p>Question 8: Is there any specific guidance AMSA can provide to assist industry with the proposed changes, if implemented?</p> <p>- Guidance on risk assessment considerations that would assist industry to determine the need for float-free EPIRBS.</p>	
15.	Industry Association	<p>We have circulated a request for feedback to hundreds of fishers and no one is objecting to float free EPIRBs. There is valid concern about the practicality of being required to have them fitted to small vessels that use fishing apparatus that may hook up on the device. Lines, ropes and nets may hook up causing a safety issue and also possibly setting off the alarm that may go unnoticed by the operator. The cost of false alarms may be</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBS. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB, things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a</p>

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		<p>significant and verification of the status of small vessels while servicing fishing gear may be difficult if the operator is unable to be contacted. My suggestion is that we undertake trials of the float-free EPIRBs for small vessels well before any mandatory requirement to have them fitted.</p>	<p>float-free EPIRB with AMSA, and maintaining a float-free EPIRB.</p> <p>While we do not propose to conduct trials before the proposed changes are implemented, following consultation AMSA has listened to concerns raised about the transitional period and the impact of the proposed changes on smaller vessels. Accordingly, we have decided to limit the changes for vessels that are <12m in length to those that do not have level flotation and which operate in B or C waters. We also note that following consultation, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p>
16.	Vessel operator	<p>I see this as an unnecessary cost to industry as we have 2 fitted at our wheelhouse exit and grab bag there as well and another fitted in our life raft already, The idea might be fine in theory but what happens if you vessel sinks out 100 mile out to sea and your float free is tethered to your boat down 100ftms off water what good is that to you Some common sense must prevail what next personal EPIRB's must be carried in our pockets.</p>	<p>Thank you for your submission. Your feedback has been noted. As noted above, in an emergency situation in which a vessel rapidly capsizes or sinks, the survival of passengers and crew often depends on the successful transmission of a distress signal to search-and-rescue resources. The additional safety benefit that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. This functionality may have resulted in a material difference in past situations where a manually-activated EPIRB was carried on a vessel and, for various reasons, was not activated.</p> <p>It is important to note that float-free EPIRBs can also be manually removed from their bracket, and manually activated without being submerged.</p>

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			AMSA recognises that there are costs to industry associated with these changes; however, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manually activated EPIRBs) are sufficient to warrant these costs.
17.	Vessel operator	<p>The first thing to strike me is how do I get my head around the concept of float free EPIRB's. I will not be the only person in Commercial Fishing (been in abalone for 37 years) who can't even imagine how the concept will work let alone be able to give a constructive opinion on the merits of such a device. If when a vessel is sinking and the device comes into contact with water the device is activated and is able to automatically send a position identifying signal to rescue authorities via satellite before the vessel sinks this must enhance safety.</p> <p>Questions: Does the device go down with the vessel. Is there a pop up floating aerial that automatically comes to the surface to continue putting out the position of the vessel. Does everything happen automatically without having to be activated by a person. I can see that something like this could and almost certainly will save lives if it is designed and tested to work in the most severe and challenging conditions. We have a satellite tracker on our boat that sends a signal of the boats position every 15 seconds (I think) and that information is accessed and collected by Fisheries and they map the vessels movements each day that it is at sea.</p> <p>Could you please direct this E-mail submission to the appropriate section of your department. I don't do Facebook or any communications that involve PIN Numbers, Passwords or Log in Codes.</p>	<p>Thank you for your submission. Your feedback has been noted.</p> <p>Your understanding, as outlined in your submission, is correct.</p>
18.	Industry Association	<p>RE: AMSA MANDATORY FLOAT FREE EPIRB</p> <p>The [submitter name] would like to offer our position on AMSA's proposed mandatory fitting of float free Epirb for Domestic</p>	<p>Thank you for your submission. Your feedback has been noted. Please note that requirements relating to carriage of float-free life rafts on certain vessels will continue to apply.</p>

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		<p>Commercial Vessels. We are an Association representing 46 members who are all owner operated businesses in the [industry]. While we appreciate that change is needed in regards to better epirb activation for vessels, we do not believe that float free epirbs are the best solution. We believe that the most effective and cost efficient option would be for epirbs to be fitted to all life rafts and made to activate on inflation. All life rafts are currently required to be float free or fitted with a hydrostatic release system, therefore activation on life raft inflation would be, we believe the best option.</p> <p>Whichever option is decided on, we would like the phase in period to be two years or more to reduce more unnecessary cost to fishermen.</p> <p>Some of the issues of float free epirbs which our members have put forward include:</p> <ol style="list-style-type: none"> 1 Vandalism or theft of epirbs 2 Exposure to the elements causing deterioration to the epirb, which in turn requires more frequent replacement. 3 Accidental activation. 4 Extra cost of having 2 hydrostatic releases which require replacement bi-annually. <p>In conclusion, we do not support the mandatory fitting of externally fitted float free epirbs to Domestic Commercial vessels unless they are in an enclosed environment i.e. in the life raft.</p>	<p>Regarding the possibility of theft of units, AMSA notes that under current and proposed EPIRB requirements, the EPIRB must be registered with AMSA, which may act as a disincentive for a person proposing to steal a float-free EPIRB unit. AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB, things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB.</p>
19.	Other member of the DCV community	<p>[Identifying information has been removed from this submission prior to publishing].</p> <p>Question 1: Definitely, the float free EPIRB will improve safety for people on DCV's. Further steps towards improving maritime</p>	<p>Thank you for your submission. Your feedback has been noted and we thank you for taking the time to comment on the proposed changes relating to float-free EPIRBs.</p>

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		<p>emergency reporting are necessary, and although I don't believe the newly proposed EPIRB alone will save lives in every single maritime emergency, it is most certainly a step in the right direction.</p> <p>Question 2: I believe the float free EPIRB should apply to vessels of all classes. No matter that all classes of vessels are subject to different extremes and dangers, operate in different waters or carry different amounts and types of passengers, we should ensure their safety is always the number one priority.</p> <p>Question 3: I believe that Class 4 vessels being a hire and drive category, should also carry the float free EPIRB. It is my understanding that generally the people who hire these vessels have a limited understanding of the water, therefore their safety should also be paramount. Surely you would also want to protect people that are not necessarily experienced mariners.</p> <p>Question 4: I don't believe there are any types of vessels who would not benefit from a float free EPIRB. I am unsure about the practability side, but I feel that it would be very beneficial for all vessels to carry a float free EPIRB as standard.</p> <p>Question 5: Yes, I agree that it should be both 'new' and 'existing' vessels that should mandatorily carry the float free EPIRB.</p> <p>Question 6: I propose a shorter implementation time than a year is necessary. I think the float free EPIRB should be implemented as soon as reasonably possible, in order to safeguard all domestic and commercial vessels and their crews, as soon as we can. I realise some time limits have to apply it but believe that January 2019 is too far away.</p>	<p>AMSA is of the view that with proper education, including people such as yourself sharing these important stories, continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>The proposed changes will apply to all Class 1, 2 and 3 vessels that are ≥ 12 metres in length operating beyond 2nm from land. This is reflective of the tragic incidents to date which have involved vessels that are ≥ 12 metres in length. AMSA also recognises that vessels that are < 12 metres in length without level flotation operating in B or C waters may also be at greater risk of an incident occurring where it is not possible to activate an EPIRB, and therefore considers it in the interest of safety to mandate the carriage of float-free EPIRBs on board these vessels (in addition to all Class 1, 2 and 3 vessels ≥ 12 metres in length as noted previously).</p> <p>The proposed changes will also apply to all Class 4C vessels where they are ≥ 12 metres in length, or < 12 metres in length and do not have level flotation. Class 4C vessels < 12 metres in length with level flotation can continue to carry the kind of EPIRB currently required.</p> <p>We note your desire to see these changes implemented as quickly as possible. Following consultation, AMSA decided to allow a 24 month transitional period (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary), and to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase. However, AMSA will be communicating the safety benefits of float-free EPIRBs during this transitional period to encourage carriage earlier, and will be encouraging float-free EPIRB manufacturers and suppliers to suggest that</p>

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		<p>Question 7: I believe that the changes to clauses and items within the NSCV are clear, and for an industry professional, easy to understand</p> <p>Question 8: I believe AMSA can offer many forms of assistance and guidance in the implementation of the EPIRB. For instance, and primarily, more financial assistance. Particularly for smaller owner-operators, this would be invaluable. Please listen to the public. We have tried to spread awareness about this consultation and hope that you get a good amount of feedback.</p>	<p>prospective customers purchase a float-free EPIRB instead of a manual activation only units.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB.</p>
20.	Vessel operator	<p>Good morning, In regards to the Consultation and Feedback for the Carriage of Float Free EPIRB Paper please see my comments below:</p> <p>Question 1: I think that overall they will improve safety however there are some sectors where I don't think there will be a significant improvement.</p> <p>Question 2: Whilst there is no vessel that could definitively say that it may/would/could not sink there are certainly vessels that are less likely to due to their design and operating areas, however larger Class 1 Multi Hull/Multi Compartment vessels that operate during daylight hours only would be less likely to have an issue arise where a float free EPIRB would be of benefit, particularly if there are large crew numbers and life rafts fitted which also contain EPIRBs. There will be significant benefits in terms of the improvement to safety for Fishing and vessels that operate overnight.</p> <p>Question 3: Given the relative inexperience of the people likely to be hands on operating Class 4 vessels and the fact that the</p>	<p>Thank you for your submission. Your feedback has been noted. As noted above, there have been incidents involving Class 1 vessels, including one which resulted in the loss of six lives. The coronial inquiry for that incident found that the carriage of a float-free EPIRB instead of a manually activated EPIRB may have resulted in a materially different outcome.</p> <p>In relation to your comments on Class 4 vessels, the proposed changes will also apply to some kinds of Class 4C vessels, as explained above.</p> <p>Following consultation, the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB</p>

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		<p>majority also act as overnight vessels there would be a significant benefit in having Float Free EPIRBS fitted to these vessels.</p> <p>Question 4: As per question 2 response.</p> <p>Question 5: Yes agree that it should apply to all vessels.</p> <p>Question 6: The time allowed for transition is sufficient.</p> <p>Question 7: Yes clear and easy to understand.</p> <p>Question 8: Perhaps a background on the decision as to why, some basic advice and suggestions on how and where it could be fitted etc, although manufacturers specifications should also determine this. It should also be clear that it applies to all types of vessels including grandfathered etc.</p>	<p>(including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB. We will take your suggestions onboard when preparing this guidance.</p>
21.	Vessel operator	<p>Given the number of recent incidents involving loss of life, float free epirbs should be introduced as soon as possible on as many classes of vessels as feasible. Given the number of recent incidents involving loss of life, float free epirbs should be introduced as soon as possible on as many classes of vessels as feasible.</p>	<p>Thank you for your submission. Your feedback has been noted, and AMSA welcomes your support.</p> <p>AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p>
22.	EPIRB Manufacturer/ supplier	<p>Submission to AMSA re Float-free EPIRB Carriage Require float-free EPIRBs on class 1, 2 or 3 domestic commercial vessels:</p> <p>[Submitter name] as a long-standing manufacturer of emergency position indication radio beacons (EPIRB) welcomes the opportunity to comment on the proposed rule changes for float-free EPIRB carriage on Australian domestic commercial vessels (DCV).</p>	<p>Thank you for your submission. Your feedback has been noted.</p> <p>AMSA will be undertaking a number of industry initiatives relating to EPIRBs during the transitional period.</p> <p>Mandating EPIRBS with GPS falls out of scope of the proposed amendments; however, AMSA has consistently supported and advocated the use of EPIRBs fitted with GPS, as it provides better accuracy, and earlier transmission to the Australian Joint</p>

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		<p>Today's standards require all vessels which operate outside 2 nautical miles are required to carry either a manually activated EPIRB or a float-free EPIRB. [Submitter name] commends and fully supports this proposal and believe that its implementation will significantly improve the chances of emergency alerts being received in a timely manner, advancing the cause of safety at sea and decreasing the incidence of further tragedies.</p> <p>There is huge emphasis on workplace safety in every industry; all workplaces regardless of age must comply with the latest safety standards. Workplaces aboard DCVs shouldn't be treated any different.</p> <p>A one-year transitional period to implement this proposal is reasonable; a similar period was given when switching from analogue to digital beacons.</p> <p>To encourage this new requirement, [submitter name] would like to recommend reference to similar initiatives recently undertaken by other international marine authorities.</p> <ol style="list-style-type: none"> 1. Ireland - http://www.dttas.ie/press-releases/2014/publication-revised-safety-code-practice-small-fishing-vessels 2. New Zealand - https://www.maritimenz.govt.nz/public/consultation/part40/default.asp 3. Canada - https://www.tc.gc.ca/eng/marinesafety/debs-fishing-vessels-small-menu-292.htm <p>Finally, [submitter name] would suggest that serious consideration be given to mandating Float Free EPIRBs with an internal GPS. Technological advances has seen the price of EPIRBs reduce substantially over the last few years, today the inclusion of a GPS feature is no longer cost prohibitive. In fact a number of EPIRB manufacturers no longer offer non-GPS</p>	<p>Rescue Coordination Centre. The proposed amendments do not prohibit the carriage of EPIRBs that have GPS fitted so owners of DCVs that need to replace their EPIRB in response to these changes may choose to do so voluntarily. For more information on why GPS is best, see AMSA's website.</p>

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		<p>equipped models. Measure this investment <\$100, to the benefit of faster more accurate detection of a stricken vessel and the judicious deployment of valuable SAR resources.</p> <p>To support this submission, [submitter name] would cite the recommendation of the United States National Transportation Safety Board after the Lady Mary tragedy. http://www.pressofatlanticcity.com/news/breaking/fatal-tragedy-of-lady-mary-sinking-propels-sea-change-for/article_5dc0d483-30ca-5186-be20-efc4ef78a653.html</p> <p><i>“The NTSB is convinced that if all EPIRBs transmitted position data, more lives could be saved. The NTSB therefore recommends that the Federal Communications Commission take the following action:</i></p> <p><i>For commercial vessels required to carry a 406 MHz Emergency Position Indicating Radio Beacons (EPIRBs), mandate that those EPIRBs broadcast vessel position data when activated.”</i></p>	
23.	Industry Association	<p>Submission re AMSA Proposals for Mandatory Float Free EPIRBs</p> <p>The [submitter name] is the peak industry body representing [industry]. Formed in 2001, the Council is made up of a Board of 8 Directors, elected by Managed Fishery Licence (MFL) holders as well as two Independent Directors appointed by the Board.</p> <p>The [submitter name] circulated the AMSA consultation documentation through our network via our website, newsletter and emailed direct to our members. The Directors of the Board also had extensive consultation with members through their own networks.</p>	<p>Thank you for your submission. Your feedback has been noted, and AMSA welcomes your support. AMSA is of the view that with proper education, and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p>

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		<p>Through this consultation the Board of the [submitter name] unanimously supported the AMSA proposal to require a float free EPIRB (contained in a category 1 bracket) to be fitted to all class 1, 2 and 3 vessels equal to or greater than 12 metres in length and operating beyond 2 nautical miles seaward from the coast.</p> <p>The [submitter name] support the proposal that class 1, 2, or 3 DCVs that are less 12 metres in length and operating in beyond 2 nautical miles will also need to carry a float-free EPIRB by 1 January 2019 but only if the vessel does not have level flotation. Vessels that are less than 12 metres with level flotation can continue to carry the kind of EPIRB currently required.</p> <p>The [submitter name] accept these changes will apply to vessels required to have a certificate of survey; vessels that are exempt from the requirement to have a certificate of survey; and existing ('grandfathered') vessels.</p> <p>The [submitter name] agrees that the proposed changes to clauses 2.8 and 4.3 of NSCV Part C7B and item 8 of schedule 1 of NSCV Part G (below) are clear and easy to understand.</p> <p>The [submitter name] notes that online retail stores that stock particular float free EPIRB's vary in price from just over AU\$500.00-AU\$1000.00. The [submitter name] are therefore of the belief that given that they have a 6-year battery life the cost to commercial operators equate to approximately AU\$100.00 per year and therefore the costs are appropriate for the additional safety measure it provides.</p> <p>The [submitter name] understand the EPIRBs proposed are linked to the boat digitally by name and therefore nobody else can use them, which mitigates the risk of theft.</p>	

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		<p>The [submitter name] also understand that the EPIRBs proposed are either hydrostatically operated or need complete immersion in water prior to activation, thus mitigating the risk of the EPIRBs deploying inadvertently with water spray or fresh water wash downs following a day fishing.</p> <p>The [submitter name] understand that the majority of models have a protective cover preventing secondary water ingress and taking note of this as a risk, they need to be immersed for a period of time.</p> <p>In conclusion, the Board of the [submitter name] are fully supportive of appropriate safety measure initiatives that provide AMSA with earlier notification in the event of a vessel capsizing or sinking and ultimately adds to the safety of crew. In addition, the [submitter name] supports the development of clear fact and/or guidance sheets to assist industry with the proposed changes.</p> <p>We thank you for the opportunity to respond.</p>	
24.	Industry Association	<p>Submission re AMSA Proposals for Mandatory Float Free EPIRBs</p> <p>The [submitter name] is the peak representative body for [industry]. Through our funding mechanisms every fishing vessel owners licensed under the WA fisheries legislation is a member. This equates to over 1,000 vessels, mainly operating near shore.</p> <p>[Submitter name] circulated the AMSA consultation documentation through our network, website, newsletter and direct to peak sector bodies.</p> <p>[Submitter name] member support the notion that in an emergency situation in which a vessel rapidly capsizes or sinks,</p>	<p>Thank you for your submission. Your feedback has been noted, and AMSA welcomes your support. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>Following consultation and concerns raised about the transitional period and the impact of the proposed changes on smaller vessels, we have decided to limit the changes for vessels that are <12 metres in length to those that do not have level flotation and which operate in B or C waters. We also note that following consultation, the proposed 12 month transitional</p>

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		<p>the survival of passengers and crew often depends on the successful transmission of a distress signal to search-and-rescue resources.</p> <p>[Submitter name] members have supported the AMSA proposal to require a float free EPIRB (contained in a category 1 bracket) to be fitted to all class 1, 2 and 3 vessels equal to or greater than 12 metres in length and operating beyond 2 nautical miles seaward from the coast. Our members support that this requirement be in force from 1 January 2019 but apply after that date on the expiry of the existing EPIRB aboard any vessel. This will lessen the impact on a vessel owner who has recently acquired a new EPIRB.</p> <p>[Submitter name] members support the proposal that class 1, 2, or 3 DCVs that are less 12 metres in length and operating in beyond 2 nautical miles will also need to carry a float-free EPIRB by 1 January 2019 but only if the vessel does not have level flotation. Vessels that are less than 12 metres with level flotation can continue to carry the kind of EPIRB currently required.</p> <p>[Submitter name] members accept these changes will apply to vessels required to have a certificate of survey; vessels that are exempt from the requirement to have a certificate of survey; and existing ('grandfathered') vessels.</p> <p>[Submitter name] agrees that the proposed changes to clauses 2.8 and 4.3 of NSCV Part C7B and item 8 of schedule 1 of NSCV Part G (below) are clear and easy to understand.</p> <p>[Submitter name] supports the development of clear fact or guidance sheets to assist industry with the proposed changes.</p> <p>We thank you for the opportunity to respond.</p>	<p>period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB, things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB.</p>

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25.	EPIRB Manufacturer/supplier	<p>[Submitter name] comments on Consultation NSCV C7B Design and Construction - Equipment - Communications Equipment</p> <p>[Submitter name] is pleased to submit the following comments in support of the above consultation. As one of the leading global manufacturers of Cospas-Sarsat 406 MHz distress beacons and in particular 406 MHz EPIRBs, [submitter name] would like to compliment AMSA on their proposals to improve the safety of domestic commercial vessels (DCVs) in Australia. As noted in the background material there have been many incidents around the world where vessels can capsize very quickly and in such cases the crew of these vessels often does not have time to get to and release a manually activated EPIRB, in such cases the use of a float-free EPIRB in a category 1 bracket can make the difference between life and death for those on board. [Submitter name] has been producing category 1 406 MHz EPIRBs since 1989 and is now producing its sixth generation design, the GlobalFIX V4, which offers a cost effective solution to acquiring either a Category 1 or a Category 2, Class 2 EPIRB, incorporating a GPS Receiver as standard for improved location accuracy.</p> <p>In response to the questions posed to industry [submitter name] wishes to provide the following:</p> <p>Question 1</p> <p>[Submitter name] is convinced that the changes to the regulations proposed by AMSA for DCVs will improve the safety of those on board, there are numerous instances of Category 1 EPIRBs making the difference between a distress signal being sent in a timely manner or either there not being a signal sent or it being delayed for some time.</p> <p>Questions 2 and 3</p>	<p>Thank you for your submission. Your feedback has been noted.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB. We will take your suggestions on board when preparing this guidance.</p> <p>As noted above, following consultation the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock.</p>

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		<p>[Submitter name] does not feel that it is qualified to address these questions.</p> <p>Question 4 Modern float-free category 1 EPIRBs are relatively small in size, cost effective and are provided with multiple mounting options, such that nowadays it is possible to mount them on almost any vessel, and in practise it is often the smaller vessels that get into trouble the quickest, and thus it is these vessels that will potentially see the greatest benefit from carrying a category 1 EPIRB.</p> <p>Question 5 The vast majority of vessels will be existing vessels, if the legislation were to only apply to new vessels it would be many years before significant numbers of vessels would be fitted and as such the safety benefits would be delayed on all these existing vessels.</p> <p>Question 6 While [submitter name] agrees that given the significant safety benefits of the proposal a short transitional period is warranted, it would request that further details on the numbers of vessels affected by both Class and Size, including the number of vessels requiring completely new installations and those that might be able to upgrade their existing EPIRB be provided, so that industry can ascertain that it can meet the demand that might be placed upon it by a short transitional period. Regardless of the length of the transitional period, unless there is some phasing in based upon some other criteria (e.g. survey date), [submitter name] experience is that everyone will leave complying until the last minute, which can create a surge in demand just before the implementation deadline, that it is difficult to service in terms of both manufacturing capability and throughput in the distribution</p>	

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		<p>chain, which makes having an understanding of the numbers of vessels affected even more critical.</p> <p>Question 7 [Submitter name] does not feel that it is qualified to address this question.</p> <p>Question 8 In terms of specific guidance to industry [submitter name] would refer AMSA in particular to its response to Question 6 above and the need for EPIRB manufacturers to have a better understanding of the size and profile of the vessels affected by this legislation.</p> <p>[Submitter name] would be pleased to work with AMSA on this matter and would be happy to provide its expertise on EPIRBs, specifications and any specific features or requirements that AMSA may require that may differ from those in the current AS/NZS 4280.1:2017 standard or in IEC 61097-2:2008.</p> <p>In conclusion [submitter name] would be pleased to support AMSA in any way that it feels would be beneficial in implementing this legislation.</p>	
26.	Industry Association	<p><u>Background</u> The [submitter name] is the peak body for [industry]. Its primary role is to represent and promote the interests of the industry as a whole. The [submitter name] y is the most valuable wild catch fishery in Tasmania with a value at the beach of \$90 million.</p> <p>The Fishery comprises of a range of vessels and vessel sizes to produce 1000 tonnes of rock lobster annually. These vessels are Class 3 fishing vessels falling mainly between the 6m and 20m range. In presenting this submission the [submitter name] is</p>	<p>Thank you for your submission. Your feedback has been noted.</p> <p>Following consultation, AMSA has listened to concerns raised about the transitional period and the impact of the proposed changes on smaller vessels. Accordingly, we have decided to limit the changes for vessels that are <12 metres in length to those that do not have level flotation and which operate in B or C waters. We also note that following consultation, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021)</p>

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		<p>representing just over 200 wild catch fishers all of whom rely on the operation of Domestic Commercial Vessels (DCVs)</p> <p><u>AMSA Proposal</u> To change equipment requirements under the design and construction part of the National Standard for Commercial Vessels (NSCV Part C 7 B) in order to mandate the use of float free EPIRB's for certain classes of commercial vessels.</p> <p><u>AMSA Questions</u></p> <ol style="list-style-type: none"> 1. It may improve the chances of rescue or recovery. 2. All classes. 3. Yes. 4. No, apart from open vessels and vessels with inbuilt buoyancy. 5. Yes. 6. No. More time. 7. Yes. 8. Ensure that any correspondence is timely, concise and communicated in plain easy to understand language. <p><u>Comments</u> The [submitter name] makes the following comments in regards to the AMSA proposal to introduce "Float Free EPIRB's" to commercial vessels over 12 meters operating more than 2 N Miles from shore:-</p> <ul style="list-style-type: none"> • The [submitter name] supports the proposal in principal • The [submitter name] does NOT support a compliance date of 1 January 2019 • The [submitter name] recommend that the introduction of the proposal be aligned with expiry of currently held EPIRB's on vessels. i.e. replace currently compliant EPIRB's with float free models when they reach expiry 	<p>to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB. We will take your suggestions onboard when preparing this guidance.</p>

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		<p>date. This will help to ensure compliance by keeping the cost to industry to an absolute minimum and prevent the waste of currently held and recently purchased models.</p> <p><u>Conclusion</u> While the [submitter name] accepts the rationale for the proposal to mandate float free EPIRB's there is a reasonable argument to mount on the introduction process. Fishers readily accept the replacement of safety equipment, when expired or used, as an operational cost. However the replacement of equipment that is still within its usable lifespan, still meets operational requirements (apart from being float free) and still offers an extremely high chance of achieving its purpose of alerting authorities when activated is an unnecessary cost burden to those fishers. AMSA could almost expect total compliance with the new regulations if it were to adopt a replacement of expired EPIRBs process rather than a mandated replacement policy of Jan 1, 2019. While float free EPIRB's offer a chance of alerting authorities of a catastrophic, sudden sinking of a vessel, a risk assessment of the Tasmanian fishing industry would show that there have been no such events in recent history. While that fact does not guarantee that such an incident will not occur, it suggests that a replacement policy by expiry is a low risk strategy.</p>	
27.	Vessel operator	<p>I do not think float free EPIRBs should be mandatory in the Fishing industry because the advent of fishing Quotas has negated the need to fish in bad weather .Secondly all vessels already have a registered accessible EPIRB on board and most vessels have a float free life raft with an EPIRB already installed. I believe these measures provided used correctly give us adequate protection.</p>	<p>Thank you for your submission. Your feedback has been noted. As noted above, there have been a number of marine incidents resulting in fatalities where a coronial inquiry found that the carriage of a float-free EPIRB instead of a manually activated EPIRB may have resulted in a different outcome. The additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. The proposed changes will address this limitation,</p>

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			and help minimise the risk to persons on board DCVs subject to the proposal.
28.	Industry Association	<p>Submission regarding AMSA proposals for mandatory float free EPIRBs</p> <p>[Submitter name] the recently formed peak industry body for [industry] recognises workplace safety as a critical and pressing industry issue. We are concerned at the high incidence of maritime accidents, particularly those associated with loss of life. To that end, we support measures that improve maritime safety and we support the proposal for mandatory float free EPIRBs.</p> <p>We also recognise the impact of increased regulation on our industry and the need to balance mandatory requirements with appropriate lead times and compliance costs. We support consideration of utilisation of existing regulatory requirements to compliment maritime safety. For example, we would welcome examination of how the variety of vessel monitoring equipment could be used to provide an additional safety net for our fishers.</p> <p>We are aware of submissions from some of our members, including [name removed]. We support their comments regarding this issue.</p> <p>[Submitter name] understands the challenges associated with effective engagement across our industry. We believe there is value in exploring ways [submitter name] can assist AMSA with to ensure industry is aware of matters under consideration and has advance notice of impending mandatory requirements.</p>	<p>Thank you for your submission. Your feedback has been noted, and AMSA welcomes your support.</p> <p>AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>Following consultation, AMSA has listened to concerns raised about the transitional period and the impact of the proposed changes on smaller vessels. Accordingly, we have decided to limit the changes for vessels that are <12 metres in length to those that do not have level flotation and which operate in B or C waters. We also note that following consultation, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p>
29.	Vessel operator	<p>Float free type of EPIRB is unsuitable for small vessels, up to 6m in length, in 3C survey. For example, no bulkhead large enough to secure this large item along with existing gear requirements (radio, steering helm, switch panels, grab handles etc. Also my</p>	<p>Thank you for your submission. Your feedback has been noted. To clarify, the proposal that was released for external consultation was that <u>all</u> Class 1, 2 and 3 and Class 4C vessels that are \geq12 metres in length operating beyond 2 nautical miles from coast will need to carry a float-free EPIRB. Vessels in</p>

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		<p>vessel a 565 Eden Craft ,Commander III Y9B, has positive foam floatation buoyancy built into the hull longitudinal beams and the dame under the gunwales allowing it to right itself if an incident occurs. I feel and "Exemption" for this type of surveyed vessel would be appropriate.</p>	<p>these classes that are < 12 metres in length will also need to carry a float-free EPIRB, but only if the vessel does <u>not</u> have level flotation. Following external consultation, we have decided to limit the changes for vessels that are <12 metres in length to those that do not have level flotation and which operate in B or C waters.</p> <p>Accordingly, if a vessel is <12 metres in length, does not have level flotation and operates in C waters, it will need to carry a float-free EPIRB under the proposed changes. If an operator does not wish to apply for this requirement, you may apply to AMSA for a specific exemption on AMSA's website. You may also be able to apply for an equivalent means of compliance – more information is available here.</p>
30.	Vessel operator	<p>We commend the proposed new regulation of float-free EPIRBs and believe this will definitely improve the safety of our DCV (domestic commercial fleet). Our primary concern however is what will constitute a float-free bracket? We believe that it should not only apply to EPIRB manufacturer's float-free brackets, but should also include float-free storage containers for marine safety equipment. Life Cell has addressed this issue and similar products are emerging in the marine safety market. Chapter 4.10 of NSCV Section C7A states that on class three vessels pyrotechnics should also float free from their position onboard, but to date this regulation is not being enforced. We think it is counterproductive, if not negligent, to leapfrog Chapter 4.10 NSCV C7A, and speak about float-free EPIRBs when existing regulation is being overlooked. All of our safety equipment is hidden away on vessels and we believe this is costing many lives. We need a complete standard for all marine safety equipment to be float-free. In every other industry safety equipment such as fire blankets, fire extinguishers, first aid kits and defibrillators are all mounted in highly visible, easy to access locations with clear</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>While AMSA considers that float-free EPIRBs are an important lifesaving device, they should be seen as one of a number of crucial pieces of equipment that enhance safety at sea. This is why the proposed changes with respect to float-free EPIRBs are part of a suite of regulatory measures AMSA is progressing to improve safety standards for DCVs. In addition to ensuring that float-free EPIRBs are carried across the fleet, AMSA has recently implemented changes to require all vessels to comply with the most up to date requirements for safety equipment such as lifeboats, lifejackets and other potentially lifesaving equipment (contained in changes to Parts NSCV Parts C7A, F1 and F2).</p>

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		<p>signage, but for some unknown reason, the marine industry hides their safety equipment. Muster Stations are simply a sign; there is no access to safety equipment at the Muster Station. Obviously not ideal in a split second emergency on the water. In world of increasing safety standards, we believe the marine industry is lagging behind and this drastically needs to be addressed. The consequence of marine safety equipment not being accessible and treated with respect, is that fathers are dying and not going home to their families. Typically marine safety equipment is retrieved from a hard to access, and often forgotten location, once a year when the marine surveyor gets on board. It should be front of mind and always visible, so getting it in an emergency is second nature. The founder of Life Cell, [identifying information], could have facilitated his own rescue four times in the first hour if he had managed to access his flares. He did activate his EPIRB when the boat sank, but for two hours he still watched boats and helicopters come within 500m but not see his frantic waves and screams for help! We do believe AMSA is on the right track but whole heartily believe that they need to address the entire issue of accessibility of marine safety equipment not just EPIRBs. Every piece of mandatory marine safety equipment has a part to play in an emergency.</p>	<p>EPIRB manufacturers and suppliers will be able to provide advice on the kinds of brackets which are float-free. Storing an EPIRB (either manually activated EPIRB or EPIRB capable of automatically activating) which is housed in a unit allowing the EPIRB to float may be a useful addition for those vessels not impacted by these changes.</p>
31.	Vessel operator	<p>Question 1. This change will only improve safety for persons on Class 3 vessels. This change is unlikely to improve safety on passenger carrying vessels <30miles to sea.</p> <p>Question 2: This change should NOT be applied to passengers carrying vessels <30 miles to sea. Historically passenger carrying vessels do not have a history of disappearing at sea with <30 miles, however Class 3 commercial fishing vessels, especially trawlers do have a history of disappearing with no trace, so they should be encouraged to fit float free EPIRBs.</p>	<p>Thank you for your submission. Your feedback has been noted. A case in point involving a passenger vessel is the capsizing and sinking of the passenger vessel <i>Leviathan II</i>. Six people lost their lives, and a recommendation was made to mandate float-free EPIRBs on passenger vessels operating at sea.</p> <p>We will endeavor to notify as many DCV operators of the changes through our communication platforms, word of mouth, and through other third party stakeholders with mutual interests.</p>

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		<p>Question 3: Yes</p> <p>Question 4: No safety benefit for passenger carrying vessels <30 miles.</p> <p>Question 5 Yes both new and existing.</p> <p>Question 6 One year satisfactory.</p> <p>Question 7 Yes clear enough.</p> <p>Question 8 Write to each DVC owner and advise of changes.</p>	<p>In relation to your comment that the changes should not be applied to passenger carrying vessels '<30 miles to sea', we have, following consultation, limited the application of the changes for vessels <12 metres in length to vessels operating in B or C waters (generally, 30nm seaward of land). Class 1, Class 2 and Class 3 vessels that are ≥12 metres in length will need to carry a float-free EPIRB where they are operating more than 2nm seaward of land.</p> <p>As noted above, the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock.</p>
32.	Vessel operator	I think that I should not have to replace my epirb until my current one expires.	<p>Thank you for your submission. Your feedback has been noted. As noted above, AMSA recognises that there are costs to industry associated with these changes; however, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs, and that these improved safety outcomes should be recognised sooner rather than later.</p> <p>We note that following consultation, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p>

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33.	Vessel operator	<p>Longer phase in required. Our EPIRB was just replaced. Consider change to 2nm offshore or 2nm outside port limits. Risk substantially reduced inside a port.</p>	<p>Thank you for your submission. Your feedback has been noted. As noted above, AMSA recognises that there are costs to industry associated with these changes; however, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs, and that these improved safety outcomes should be recognised sooner rather than later.</p> <p>We note that following consultation, the proposed changes will only apply to vessels that are <12 metres in length where they do not have level flotation, and operate in B or C waters. Additionally, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p>
34.	Industry Association	<p>[Submitter name] Response to Float Free EPIRB Proposal The [submitter name] represents over [industry] across NSW. The [submitter name] recognises the concerns and issues put forward to justify the need to require the adoption of float free EPIRBs on offshore commercial fishing vessels over 12m in length.</p> <p>The adoption of a strong safety culture within our industry is a high priority for the [submitter name] and we support the adoption of this requirement for our industry. The only major concern is the additional cost burden of meeting the new requirements for industry. Over the last 2 years, the majority of industry has responded to the strong safety messages being promoted by the submitter name, AMSA and the NSW's RMS, including purchasing new EPIRBs for their vessels. The [submitter name]</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>AMSA recognises that while there are costs to industry associated with these changes, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs, and that these improved safety outcomes should be recognised sooner rather than later.</p>

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		<p>has been advised that the life of these EPIRBs can range anywhere from 5 to 10 years (for the higher end models).</p> <p>Due to this, coupled with the cost of the float-free EPIRBs averaging around \$700 per device, we seek an extended phase-in period for the EPIRBs to ease the burden to industry.</p> <p>We welcome any further discussion or contact for clarification.</p>	<p>However, we note that following consultation, the proposed changes will only apply to vessels that are <12 metres in length where they do not have level flotation, and operate in B or C waters. Additionally, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p>
35.	Industry Association	<p>Submission re AMSA proposal for Carriage of float-free EPIRBs on Class 1, 2, 3 and 4 vessels</p> <p>[Submitter name] is the peak industry body representing [industry] in South Australia. [Submitter name] has consulted widely with its membership and thus this submission represents the views of over 600 professional fishers in the State. [Submitter name] supports the notion that in an emergency situation, in which a vessel capsizes or sinks, the survival of its crew/passengers often depends on the successful transmission of a distress signal. [Submitter name] also supports the overall objective of improving vessel safety.</p> <p>With regard to this particular proposal, the following concerns were raised:</p> <ul style="list-style-type: none"> • This proposal is based only on coronial recommendations with no apparent scenario testing performed; • While the use of float-free EPIRBs is prescribed in other countries, what evidence is there demonstrating that this has decreased risk and saved lives? • [Submitter name] have been advised by AMSA that a float-free EPIRB will activate automatically when submerged in 3 	<p>Thank you for your submission. Your feedback has been noted.</p> <p>We note that the float-free EPIRB unit is required to meet the technical specifications set out in AS/NZS 4280.1 which requires testing and other quality assurances.</p> <p>AMSA is focused on safety and trying to prevent loss of life on the water. Any loss of life becomes a statistic that is notable. The additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. The proposed changes will address this limitation, and help minimise the risk to persons on board DCVs subject to the proposal.</p> <p>Most float-free EPIRB manufacturers include detailed advice on how to install and maintain the EPIRB unit in their respective Instruction Manuals. For example, this includes ensuring that the EPIRB is mounted in a position where it is readily</p>

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		<p>to 5 metres of water. In a situation where a vessel capsizes but does not submerge to that depth for several hours, the proposed regulation could make the EPIRB harder to access (for manual activation);</p> <ul style="list-style-type: none"> • Some existing EPIRBs are new and have GPS attached; • A float-free EPIRB will be exposed to the elements increasing the risk it will not always work when needed on a small fast going vessel; • There is no clear process for consultation on the rationale for exemptions; <ul style="list-style-type: none"> • If an industry sector can provide rationale for an exemption or equivalent solution, how do they go about applying for this exemption; • Assumptions 13 & 20 of the cost evaluation document are incorrect as existing vessels without a float-free EPIRB bracket will be exposed. <p>We understand that AMSA have proposed that this requirement be in force from 1 January 2019 however, we recommend that it apply after that date from the expiry of the existing EPIRB aboard any vessel. This will lessen the impact on a vessel owner who has recently acquired a new EPIRB.</p> <p>We thank you for the opportunity to respond on this matter.</p>	<p>accessible in an emergency and protected from inadvertent damage.</p> <p>AMSA has sought feedback specifically on the kinds of vessels where it would be impracticable or provide additional safety benefits to carry a float-free EPIRB (see question 4). DCV owners may apply to AMSA for an exemption from compliance with any requirements in the National Law. The application form and AMSA's Policy on Granting Exemptions are available on the AMSA website.</p> <p>We note that following consultation, the proposed 12 month transitional period has been extended to a 24 month transitional period (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p>
36.	Marine Safety Agency	<p>Float free EPIRBs will not work unless located & fitted properly. The tendency on small boats to tie down EPIRBs as they tend to jump off , can make them unsafe. Dangers of incorrectly located & fitted Float free EPIRBs need to be publicised . Safe locations for fitting float free EPIRB's need to be shown by sketches / diagrams . Float free EPIRBs on fishing vessels are known to have been located inside wheelhouse [fear of theft], outside wheelhouse under canopy [damage by UV is the excuse] etc.</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBs. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and</p>

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		Recommend: Guidance sketches in plain English be prepared showing "Safe and Unsafe locations for locating EPIRB's on board" and publicised .	maintaining a float-free EPIRB. We will take your suggestions onboard when preparing this guidance.
37.	Marine Safety Agency	For vessels that are < 12m long that do not meet level flotation criteria --- It's very hard if not impossible for most owners to know if their vessel has level flotation [changes in ownership and lack of this information on certificates of survey make this v difficult for owners]. Also cumbersome for compliance and enforcement. Smaller vessels have a higher rate of capsizes particularly less than 7 m. Recommendation: It should be made mandatory for all less than 12 m vessels in the same manner as proposed for greater than 12 m vessels].	<p>Thank you for your submission. As noted above, DCV owners may engage an accredited marine surveyor if they are unaware of whether their vessel has level flotation. We also understand that if the vessel has an Australian Builder's Plate, it indicates the kind of flotation or buoyancy for the vessel.</p> <p>With a view to limiting the cost impacts of this proposal to only what is necessary from a safety perspective, it was considered unnecessary to extend the proposal to vessels <12 metres in length with level flotation. This is because the design of vessels of around 12 metres in length means that they are likely to have significant reserve buoyancy. This, in turn, means that if they capsize, they are likely to remain floating in an upturned position. In this case, the master/crew can locate the manually activated EPIRB and activate it without risk to safety. The 12 metre cut-off is therefore considered appropriate. Furthermore, the 12 metre vessel-length threshold already exists across relevant general exemptions.</p>
38.	Marine Safety Agency	4) for vessels that are < 12m long that do not meet level flotation criteria --- It's very hard if not impossible for most owners to know if their vessel has level flotation [changes in ownership and lack of this information on certificates of survey make this v difficult for owners]. Also cumbersome for compliance and enforcement. Smaller vessels have a higher rate of capsizes particularly less than 7 m. Recommendation: It should be made mandatory for all less than 12 m vessels in the same manner as proposed for greater than 12 m vessels].	<p>Thank you for your submission. Your feedback has been noted. As noted above, DCV owners may engage an accredited marine surveyor if they are unaware of whether their vessel has level flotation.</p> <p>With a view to limiting the cost impacts of this proposal to only what is necessary from a safety perspective, it was considered unnecessary to extend the proposal to vessels <12 metres in length with level flotation.</p>
39.	Marine Safety Agency	There are many "Existing fishing vessels not built to survey" which have had many serious incidents. "Existing vessels not in survey" are at a higher risk of being involved in serious incident than	Thank you for your submission. Your feedback has been noted. The proposed changes will apply to:

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		"Existing vessels in survey". Recommendation: As such proposed amendment should be applied to "Existing vessels not in survey"	<ul style="list-style-type: none"> - 'new vessels', 'existing vessels', and 'transitional vessels' that are in survey under Marine Order 503; and - 'new' and 'existing' vessels that are exempt from the requirement to have a certificate of survey ('non-survey' vessels). Exemption 40 vessels that are <12 metres in length with level flotation are also excluded from the scope of the proposed changes. These changes will however apply to Exemption 40 vessels using another flotation option, for example basic flotation.
40.	Marine Safety Agency	<p>Good morning, I am offering the following comments within the consultation period regarding the proposed mandatory carriage of float-free EPIRBs in certain vessel classes. While the overall proposal is supported, I note there appears to be no mention of "GPS fitted EPIRBs" within the proposal. From the perspective of those who respond to an EPIRB activation [identifying information], the detection of GPS fitted EPIRBs / PLBs / ELTs offer substantial benefits in terms of speed and accuracy of response. In particular, GPS beacons provide a highly accurate position that is included in the initial detection via GEOSAR or MEOSAR satellites. The accuracy is in the order of 100m (Circular Error Probable - CEP), compared to approximately 5km CEP for a non-GPS fitted beacon. The accuracy of a non-GPS fitted beacon position is also influenced by the resolving techniques that are required to derive position (MEOSAR - Difference of Arrival and LEOSAR - Doppler). These techniques also take additional time to gain an accurate position, compared to a GPS derived solution. As such, the response that can be afforded to a GPS beacon detection is more rapid (ie. location is more accurate and is received more quickly with less ambiguity than for a non-GPS beacon). The SAR incident statistics presented at the most recent NATSAR Council meeting [identifying information] show that the uptake rate for GPS fitted PLBs is now 97%, whereas the</p>	<p>Thank you for your feedback. Your feedback has been noted. Mandating EPIRBs with GPS falls out of scope of the proposed amendments, however, AMSA has consistently supported and advocated the use of EPIRBs fitted with GPS, as it provides better accuracy, and earlier transmission to the Australian Joint Rescue Coordination Centre. The proposed amendments do not prohibit the carriage of EPIRBs that have GPS fitted so owners of DCVs that need to replace their EPIRB in response to these changes may choose to do so voluntarily. For more information on why GPS is best, see AMSA's website.</p>

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		uptake rate for GPS fitted EPIRBs is only 62%. Measures taken to improve/increase the uptake of GPS fitted EPIRBs are likely to yield benefits in terms of improved response time, reduced response ambiguity and reduced SAR asset tasking costs. These comments are my personal perspective.	
41.	Vessel operator	Fail to see how this change and the extra cost burden to us small fishing operations is warranted. We are already under financial strain to keep up with the cost recovery plan and the planned QLD Fisheries implementation of VMS, which is another cost burden to us to implement, along with the cost of monthly service plans for this unit and any other decision that AMSA & DAFF decide to bring down on us. Soon it won't even be worth putting fuel in the boat to work, as all I'll be doing is working to pay government fees to stay compliant! Please reconsider and give these cost restraints due diligence.	Thank you for your submission. Your feedback has been noted. As noted above, there have been a number of marine incidents resulting in fatalities where the the additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. This functionality may have resulted in a materially different outcome where a manually-activated EPIRB was carried on a vessel and, for various reasons, was not activated. AMSA recognises that there are costs to industry associated with these changes; however, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs.
42.	Vessel operator	I know you have a big task ,getting aust. together BUT keep the paper work DOWN. time IS money. We have managed safely for Decades.	Thank you for your submission. Your submission has been noted. The proposed requirements for float-free EPIRBs do not impose any additional record keeping requirements. The float-free EPIRB will need to be registered with AMSA; however, this is a requirement that currently exists.
43.	Vessel operator	We have survived for many years and now, floataway, Epirbs MANDATORY. We are the MOST OVER Regulated country. AND it does NOT increase Safety. Common sense and Training, practical experience, No true seamen would rely on electronics AND Especially your Organisation who would not Know What sea Even is !	Thank you for your submission. Your feedback has been noted. As noted above, the additional safety benefits that a float-free EPIRB may be able to provide that a manually activated EPIRB cannot is that it can rapidly signal a request for help without human-assisted activation. This functionality may have resulted in a material difference in past situations where a manually-activated EPIRB was carried on a vessel and, for various reasons, was not activated. AMSA recognises that there are costs to industry associated with these changes; however, we consider that the safety benefits that a float-free

No.	Stakeholder group	Industry comment / submission	AMSA Response
			<p>EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs.</p> <p>As noted above, following consultation the 12 month transitional period has been extended to 24 months. This will allow industry more time to comply, so that the cost to an operator can be 'absorbed' over a greater period of time. The extension to the transitional period will also provide EPIRB manufacturers and suppliers more time to build stock.</p>
44.	Vessel operator	Surely recreational boats must do the same	Thank you for your submission. Your feedback has been noted. The carriage of float-free EPIRBs is generally limited to commercial vessels. This consultation process, and the proposed changes, is limited to DCVs and not recreational vessels, which are regulated by States and Territories.
45.	EPIRB Manufacturer/supplier	[Submitter name] as the Australian distributor of the Jotron products would like to ask a question in relation to battery life. Will the battery life be tied to the SOLAS/IMO requirement as it is today	Thank you for your submission. Your feedback has been noted. The NSCV requires that the unit meet AS/NZS 4280.1.
46.	Industry Association	<p>[Submitter name] is the peak body for the wild catch, marine farm and seafood processing sectors of [industry]. The primary role of [submitter name] is to promote and represent the best interests of the [industry] as a whole.</p> <p>The [industry] is the most valuable seafood industry in Australia, with a gross value of \$825.6 million. The key species harvested within Tasmania are farmed salmonids (\$620 million); wild caught rock lobster (\$90 million); wild caught abalone (\$81 million); and farmed oysters (\$23 Million)¹. Tasmania is also the home to many vessels participating in the Commonwealth managed fishery, which is regulated by the Australian Fisheries Management Authority (AFMA).</p>	<p>Thank you for your submission. Your feedback has been noted. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>AMSA recognises that while there are costs to industry associated with these changes, we consider that the safety benefits that a float-free EPIRB can provide (and when compared with manual only EPIRBs) are sufficient to warrant these costs, and that these improved safety outcomes should be recognised sooner rather than later. However, we note that following consultation, the proposed changes will only apply to vessels that are <12 metres in length where they do not have level flotation, and operate in B or C waters.</p>

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		<p>The [industry] uses a range of vessels and vessel sizes to catch and produce a diverse range of wild caught and farmed seafood species. There are just over 1,200 Domestic Commercial Vessels (DCVs) registered in Tasmania. 850 of these vessels, or 70%, are involved with commercial seafood activities, with 800 being stand-alone Class 3 (Fishing) Vessels. Many of these vessels operate outside 2nM, and would subsequently be required to comply with the proposed 'carriage of float-free EPIRB' requirement.</p> <p>In presenting this submission, [submitter name] is representing the interests of its 570 wild catch fishers; 161 marine farm lease areas, which are operated by 74 businesses; and 60 processing businesses.</p> <p>Proposal Overview [Industry name] understands that the proposal will impact Tasmanian fishing vessels (majority Class 3 and some Class 2 vessels) that are equal to or greater than 12 meters in length and operate beyond 2 nautical miles seaward from the coast; as well as vessels that are less than 12 meters that do not have level floatation and that operate more than 2nM from the coast. We also understand that this proposal will also be applied to 'grandfathered' vessels.</p> <p>If accepted, vessels would be required to carry a Class 2 EPIRB (float free) and for that EPIRB to be fitted into a Category 1 bracket. [Submitter name] believes that a compliant EPIRB and bracket unit can be purchased for approximately \$670.</p> <p>[Submitter name] Recommendation It is hard to argue against any maritime safety proposal that has the potential to save even one life. The installation of EPIRBS which automatically activate and 'float free' should a vessel sink will greatly assist rescuers (AMSA) and fishers, especially in a</p>	<p>Additionally, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p> <p>AMSA will be communicating the safety benefits of float-free EPIRBs during this transitional period to encourage carriage earlier, and will be encouraging float-free EPIRB manufacturers and suppliers to suggest that prospective customers purchase a float-free EPIRB instead of a manual activation only units.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-free EPIRBS. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB (including case studies), things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB. We will take your suggestions onboard when preparing this guidance.</p>

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		<p>situation where the crew are unable to send a rescue call or activate an EPIRB. [Submitter name] provide support for the proposal, but call for an alternative transitional strategy that would reduce financial burden on operators.</p> <p>Although the cost of a Float-Free EPIRB may be considered 'negligible' by the regulator and some within industry, it will be an impost to some operators, and there is a level of inequity for those operators who have only recently purchased a new EPIRB, and could have obtained 5+ years life from that purchase. Subsequently, [submitter name] recommends a transitional policy which would see replacement only when the current vessel EPIRB expires. [Submitter name] recommend an industry focused communication strategy that would inform operators of the changes and encourage operators to transition to the float-free option as an improved safety outcome earlier than required.</p> <p>Specific Questions Question 1: Do you think the proposed changes will improve safety for people on DCVs? The proposal will not improve safety with respect to safety culture and operations, however, the carriage of a float free EPIRB may greatly improve the chances of timely rescue and survival should there be an incident or accident. This is a very positive outcome for the [[industry] as saving any life is important.</p> <p>Question 2: Do you think that the requirement to carry a float-free EPIRB should apply to vessels that are class 1, 2 and 3, or should it only be limited to a particular class? If so, which class and why? The proposal should be applied to all DCVs, as the decision should be based on risk and risk mitigation.</p>	

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		<p>Question 3: Should the requirement to carry a float-free apply to class 4 vessels (e.g. class 4C vessels)? Yes. The same risks and risk mitigation apply to all vessel operations, regardless of being hire and drive.</p> <p>Question 4: Are there any kinds of vessels which would be impacted by this proposal where it would be impracticable or of no safety benefits to carry a float-free EPIRB? Careful consideration will need to be given to the location of EPIRBS on fishing vessels to ensure they do not interfere with or get damaged by fishing operations, and are at the same time still able to function as required. Another consideration is that many fishing vessels are berthed at publically accessible jetties and wharves, so consideration will also need to be given to potential theft of such devices.</p> <p>Question 5: Do you agree that the requirement to carry a float-free EPIRB should apply to both ‘new vessels’ and ‘existing vessels’? Yes. Again, the risk and risk mitigation applies equally to both vessels equally.</p> <p>Question 6: A one year ‘transitional’ period is proposed. AMSA considers that given the significant benefits for safety, a shorter transitional time is warranted. Do you think that a one year transitional period is reasonable? Should more/less time be allowed? The [industry] is currently constrained by a diverse number issues and challenges, including but not limited to: increased regulatory burden and costs; environmental challenges associated with a changing marine environment; for some fisheries access to quota; and confusion and uncertainty around transitioning to AMSA as the single point for delivering the National System. Such issues and challenges are linked to high rates of psychological distress</p>	

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		<p>(depression) in the Australian fishing industry, as recently reported by Tanya King at Deakin University.</p> <p>Although the cost of a Float-Free EPIRB may be considered 'negligible' by the regulator and some within industry, it will be an impost to many operators, especially if they have only recently purchased a new EPIRB and could get 5+ years life from that purchase.</p> <p>There are no examples in recent Tasmanian history where the fitting of a float free EPIRB could have saved a life. Although we support the notion of saving one life is beneficial, there is little evidence base in Tasmania for float-free EPIRBs providing significant benefit. We do, however, understand that different states and fisheries within some states have a different level of risk.</p> <p>[Submitter name] recommends that for at least Tasmanian vessels a 'replace once current EPIRB expires' transitional plan, with an educational campaign highlighting the potential benefits of float-free EPIRBs to encourage operators to transition earlier.</p> <p>Question 7: Do you think the proposed changes to clauses 2.8 and 4.3 of NSCV Part C7B and item 8 of schedule 1 of NSCV Part G (below) are clear and easy to understand?</p> <p>Even the question is complex and difficult to understand.</p> <p>From my perspective of CE of [submitter name], I commend AMSA for their guidance notes, which provide a relatively clear explanation of all changes needed to implement this proposed changes in a 'current text' and 'proposed text'. However, the overall structure and content of the NSCV is very complex, legal jargon which is difficult to understand, especially for grass roots fishers. Many fishing industry members face considerable numeracy and literacy challenges, especially when it comes to the</p>	

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		<p>transfer of information via digital media. For example, ‘track changes’ are a completely alien concept to many fishers and marine farmers. AMSA, with the support of industry peak bodies, must develop clear and concise strategies, resources and tools to transfer all information about the requirements of the NSCV to ensure that fishers and marine farmers are aware of and comply with their safety obligations. See further information in Question 8.</p> <p>Question 8: Is there any specific guidance AMSA can provide to assist industry with the proposed changes, if implemented.</p> <p>[Submitter name] suggest clear ‘fisher talk’ documentation, transferred in writing through platforms such as the <i>Tasmanian Seafood Industry News</i> magazine, Tasmanian Rock Lobster Fishermen’s Association newsletter amongst more. There is also capacity to utilise marine surveyors to transfer information about the need to comply with any ‘float free EPIRB’ requirement. Any information transfer must clearly articulate that if you operate outside 2nM seaward of the coast, you must comply. Furthermore, 2nM from the coast must be clearly defined. Other information must include the need to replace ‘hammar’ hydrostatic release units every 2 years.</p> <p>If this proposal is progressed, [submitter name] suggest that AMSA produce a clear communication strategy and resources that will help grass roots fisher, many of whom have numeracy and literacy challenges, understand the NSCV and their obligations to comply with the NSCV.</p> <p>Summary [Submitter name] acknowledge that the requirement for float free EPIRBS may save lives, which is an obvious and undisputable benefit for all maritime operators.</p>	

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		<p>[Submitter name] recommend a transition phase which aligns with the expiry of current EPIRB units to minimise the financial burden to operators.</p> <p>A suitable communication strategy, which takes into account the poor numeracy and literacy of many grass roots operators, should promote the benefits of transitioning to float free EBIRBS, and encourage operators to transition before the expiry of their current EPIRB units.</p>	
47.	Industry Association	<p>The [submitter name] is the peak industry representative body for the [industry]. [Submitter name] membership (from both WA and the NT) includes 100% of all [industry] under the legislation that operate within the North-west Bioregion. The [submitter name] represents 17 licensees from both WA and the NT.</p> <p>The Australian [submitter name] represents a unique mix of wildstock fishing of pearl oysters and the aquaculture production of pearls within these pearl oysters. The Australian [industry] has a global reputation for producing, from sustainably managed wild caught oysters and through an environmentally benign culturing process, Australian South Sea pearls that are of the highest quality and rarity in the world.</p> <p>The [industry] in WA and NT are extremely proud of their marine safety record for an industry that at peak production has up to 150 vessels (of various sizes and functions) operating throughout Northern Australia in both open water and on aquaculture farms.</p> <p>Submission re AMSA Proposals for Mandatory Float Free EPIRBs</p> <p>The [submitter name] agrees with the following submissions postulated in the [identifying information] submission:</p>	<p>Thank you for your submission. Your feedback has been noted, and AMSA welcomes your support. AMSA is of the view that with proper education and continuing work to foster a robust safety culture within industry, float-free EPIRBs will be regarded as the most effective location signalling device in an emergency.</p> <p>Following consultation and concerns raised about the transitional period and the impact of the proposed changes on smaller vessels, we have decided to limit the changes for vessels that are <12 metres in length to those that do not have level flotation and which operate in B or C waters. We also note that following consultation, the proposed 12 month transitional period has been extended to a 24 month transitional period for all vessels (to 1 January 2021) to allow time for owners to purchase a float-free EPIRB (where necessary); to provide EPIRB manufacturers and suppliers time to ensure sufficient stock is available for purchase; and to ensure that the safety benefits derived from this proposal are not unnecessarily delayed.</p> <p>AMSA will shortly be publishing guidance to assist owners and operators of DCVs with the new requirements relating to float-</p>

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		<ul style="list-style-type: none"> • Support for the notion that in an emergency situation in which a vessel rapidly capsizes or sinks, the survival of passengers and crew often depends on the successful transmission of a distress signal to search-and-rescue resources. • Support for the AMSA proposal to require a float free EPIRB (contained in a category 1 bracket) to be fitted to all class 1, 2 and 3 vessels equal to or greater than 12 metres in length and operating beyond 2 nautical miles seaward from the coast. Our members support that this requirement be in force from 1 January 2019 but apply after that date on the expiry of the existing EPIRB aboard any vessel. This will lessen the impact on a vessel owner who has recently acquired a new EPIRB. • Support for the proposal that class 1, 2, or 3 DCVs that are less than 12 metres in length and operating in beyond 2 nautical miles will also need to carry a float free EPIRB by 1 January 2019 but only if the vessel does not have level flotation. Vessels that are less than 12 metres with level flotation can continue to carry the kind of EPIRB currently required. • Support for the development of clear fact or guidance sheets to assist industry with the proposed changes. 	<p>free EPIRBS. This guidance will include information on, for example, the safety benefits of carrying a float-free EPIRB, things to consider when installing a float-free EPIRB unit to ensure it works effectively, how to register a float-free EPIRB with AMSA, and maintaining a float-free EPIRB.</p>