



30 November 2016

## Appeals Tribunal upholds AMSA ship detention

The Australian Maritime Safety Authority's decision to detain a Hong Kong flagged container ship which dumped food waste in close proximity to Fraser Island in May was affirmed by the Administrative Appeals Tribunal at a hearing on Friday, 25 November 2016.

AMSA detained the vessel *OOCL Le Havre* in Brisbane after a Port State Control inspection on 24 May found that its Safety Management System had failed to ensure crew had an adequate understanding of the rules and regulations related to the management and discharge of garbage at sea in accordance with the international convention for the prevention of pollution from ships (MARPOL).

The inspection also found that on 23 May crew dumped 0.08 cubic metres of food waste into the ocean less than 3 nautical miles from the nearest land.

Orient Overseas Container Line Ltd, the owner of the vessel, sought review of AMSA's decision to detain its vessel at the AAT.

At the conclusion of the AAT hearing on Friday, with the company's consent the AAT affirmed AMSA's decision to detain for a Safety Management System failure, finding that it was the correct and preferable decision in the circumstances.

AMSA Acting General Manager of Ship Safety Alex Schultz-Altmann said the AAT result upheld AMSA's strong stance on protecting the marine environment from ship-related pollution.

"Ships operating in Australian waters must have adequate Safety Management Systems which detail the correct management and discharge of garbage at sea, as per MARPOL," Mr Schultz-Altmann said.