

**AMSA'S RESPONSE TO RECOMMENDATIONS OF THE EXPERT PANEL
REPORT DELIVERY OF COASTAL PILOTAGE SERVICES IN THE GREAT
BARRIER REEF AND TORRES STRAIT - OCTOBER 2008**

AMSA and the Department of Infrastructure, Transport, Regional Development and Local Government commenced the review of the delivery of coastal pilotage services in July 2008 through an extensive consultation process and also invited submissions from stakeholders. An expert panel examined the wide range of submissions and issues raised during the consultation process and provided a report in October 2008 making five recommendations. AMSA agrees in principle with these recommendations and the table below indicates AMSA's response actions:

RECOMMENDATIONS	AMSA RESPONSE ACTION
<p>Recommendation 1: That the sanctions and measures available to AMSA under Marine Order Part 54, <i>Coastal Pilotage</i>, to manage coastal pilotage be amended to improve their effectiveness in dealing with procedural breaches that have the potential to put ship safety at risk.</p>	<p>AMSA notes amendments to the <i>Navigation Act 1912</i> in 2006 strengthened its regulatory powers in relation to coastal pilotage providers, including the ability to regulate their duties, professional relationship with licensed pilots, safety management codes and systems, training of pilots and monitoring of performance and keeping of records. Amendments were made in 2006 to Marine Orders Part 54.</p> <p>In line with Recommendation 1, AMSA is taking immediate action to revise Marine Orders Part 54 and strengthen procedural regulation, mainly through improving the system of safety reporting by pilotage providers, including:</p> <ul style="list-style-type: none"> • Increasing the frequency of safety reporting requirements, including the fatigue status of pilots, provision of incident reports by pilots and pilot boat crews, completed deep draught passage plans and the safety status of pilot boats. • Regular safety reporting each month, including the status of pilot licensing and medical fitness, pilot training, safety equipment, the results of safety meetings, and training and safety drills conducted for pilot boat crews, • Introduction of a mechanism for monitoring safety performance by tracking compliance with procedural requirements and other safety regulatory measures. • Increased transparency in publicly demonstrating compliance with safety regulatory requirements. <p>These amendments will be subject to the usual regulatory and consultation processes before the amended Marine Order can be promulgated.</p>
<p>Recommendation 2: That the effectiveness in delivering safety outcomes of the improved compliance, enforcement and incentive strategies associated with the changes recommended to Marine Orders Part 54 <i>Coastal Pilotage</i> be reviewed 12 months after the revised Marine Order comes into effect.</p>	<p>AMSA intends allocating additional resources to upgrade compliance monitoring in relation to Marine Orders Part 54 and to underpin a more rigorous approach to the auditing regime.</p> <p>AMSA notes that, if the assessment 12 months after the revised Marine Order comes into effect concludes that new coastal pilotage service delivery arrangements should be considered, then this will necessitate the seeking of policy approval from the Australian Government and any corresponding regulatory changes will be the subject of a Regulatory Impact Statement process.</p>

RECOMMENDATIONS	AMSA RESPONSE ACTION
<p>Recommendation 3: That a single under keel clearance management system for use in Torres Strait be selected through an open tender process.</p>	<p>AMSA intends to progress the open tender process for the single under keel clearance management system in 2009. This process will need to comprehensively address system performance requirements, ongoing supplier support and the related risk management issues of system redundancy, resilience, and communication links in the event of failure of any key element of the system. The tender process also will need to take into account the proposed integration of the system with the Great Barrier Reef and Torres Strait Vessel Traffic Service (REEFVTS). This will depend on progress in consultations with Maritime Safety Queensland, as outlined in the response to recommendation 5 below.</p>
<p>Recommendation 4: That the under keel clearance management system acquisition, operation and upkeep costs should be shared between the Commonwealth and Queensland Governments, as the potential benefits would not be realised by all shipping interests required to pay the Navigation Levy.</p>	<p>AMSA notes the report conclusion that the under keel clearance management system should be treated in the same way as any other aid to navigation system operated by AMSA. AMSA is responsible for providing Australia's national network of integrated aids to navigation and traffic management measures to meet the needs of commercial shipping for safe and efficient coastal navigation. This AMSA function is funded by the commercial shipping industry through the Marine Navigation Levy. In line with Recommendation 4, AMSA will be convening initial consultations with Maritime Safety Queensland and Queensland Transport in relation to the potential cost sharing options available in relation to the acquisition, operation and upkeep of the under keel clearance management system.</p>
<p>Recommendation 5: That the UKC management system should be integrated with the operations of <i>ReefVTS</i>, as part of its function as a navigational assistance service, with a licensed pilot available to monitor use of the UKC system and associated activities of VTS operators at all times.</p>	<p>AMSA (representing the Australian Government) jointly manages the REEFVTS facility with Maritime Safety Queensland (representing the Queensland Government). AMSA convened initial consultations with Maritime Safety Queensland in December 2008 on the potential integration of the proposed single under keel clearance management system with the operation of the REEFVTS.</p>