

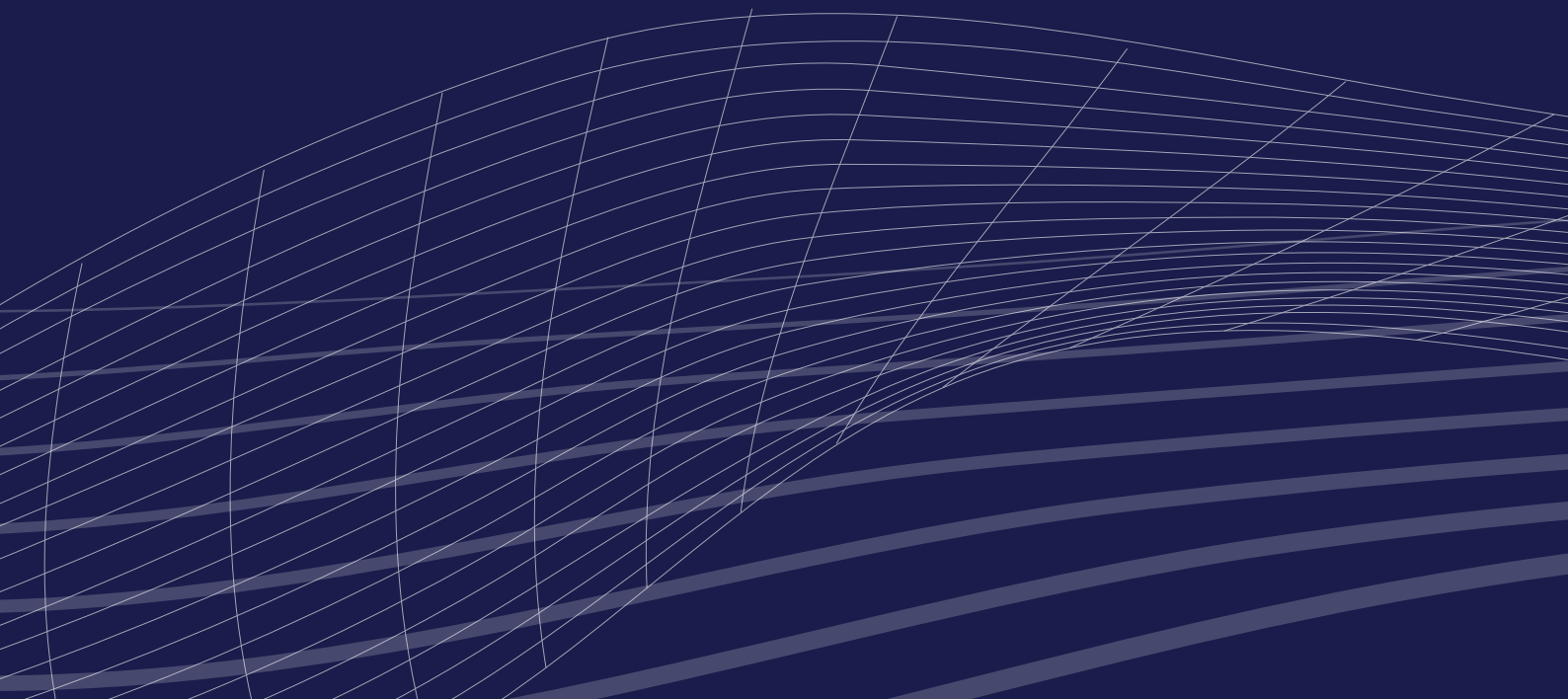


Australian Government

Australian Maritime Safety Authority

Annual Regulatory Plan

August 2017



Intentionally left blank

Contents

| | |
|---|---|
| 1. Planned regulatory actions: 1 August 2017 - 30 June 2018 | 4 |
| 2. Completed regulatory actions: 1 July 2016 - 31 July 2017 | 9 |

About this document

This document replaces the AMSA Annual Regulatory Plan 2016-17 that was published in August 2016 and updated in March 2017.

Annual regulatory plans are available from the AMSA website at: www.amsa.gov.au.

Purpose of an annual regulatory plan

AMSA publishes regulatory plans to provide business and the community with information about planned changes to regulatory instruments, such as Marine Orders and the National Standard for Commercial Vessels (NSCV), to make it easier for business and the community to take part in the development of those instruments that are likely to affect them.

AMSA regulatory instruments are available from the AMSA website at: www.amsa.gov.au.

AMSA publishes an annual regulatory plan early in each financial year and may publish revised annual regulatory plans during the year when appropriate. The regulatory plans contain information on:

- details of legislative or other action planned for the current financial year that could lead to changes in business regulation; and
- changes to business regulation that occurred during the previous financial year.

Information provided in regulatory plans is correct at the time of publication. While there may be some regulatory activities that AMSA is unable to forecast, these activities will involve consultation with affected parties and will be recorded in future regulatory plans.

Consultation

The objective of consultation is to solicit comment from affected parties on the proposed changes to regulatory instruments, including any information on costs and benefits.

Consultation is open to the public and all documentation will be made available online with relevant contact details. Specific stakeholder forums may also be planned.

Further details about consultation on planned regulatory actions are available from the AMSA website at: www.amsa.gov.au

Contact details

Please direct any queries about the annual regulatory plan to:

Manager, Maritime Regulation
Australian Maritime Safety Authority
Phone: (02) 6279 5755
Fax: (02) 6279 5966
Email: Regulation@amsa.gov.au

1. Planned Regulatory Actions

| Marine Orders (Navigation Act) Administration Amendment Order 2017 | |
|---|--|
| Description of Action | Administrative amendment to various Marine Orders to make minor editorial changes and corrections. |
| Consultation | Public consultation occurred from 20 July to 11 August 2017. |
| Date of Effect | Proposed: 2 October 2017. |

| Marine Orders Amendment Order No.2 2017 | |
|--|--|
| Description of Action | Consequential amendment to Marine Orders 2, 54, 70, 71, 72, 73 and 74 arising from the changes to Marine Order 9 that will be replaced by new Marine Order 76. |
| Consultation | Public consultation is planned to occur in September 2017. |
| Date of Effect | Proposed: 1 December 2017. |

| Marine Order 9 (Health - medical fitness) 2010 | |
|---|---|
| Description of Action | Review and replace the Order as Marine Order 76 under the <i>Navigation Act 2012</i> . Supporting guidance material for medical examiners to become standards that accompany the Order. |
| Consultation | Public consultation is planned to occur in August and September 2017. |
| Date of Effect | Proposed: 1 December 2017. |

| Marine Order 31 (Vessel surveys and certification) 2015 | |
|--|--|
| Description of Action | Amendment to clarify and incorporate the existing survey and certification requirements for government vessels that are currently in Marine Order 62. The changes cover all vessels, including a special provision for vessels under 7.5 metres in length. |
| Consultation | Public consultation is planned to occur in February 2018. |
| Date of Effect | Proposed: 1 July 2018. |

| Marine Order 41 (Carriage of dangerous goods) 2009 | |
|---|--|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 21 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in July and August 2017. |
| Date of Effect | Proposed: 1 November 2017. |

| Marine Order 43 (Cargo and cargo handling - livestock) 2006 | |
|--|---|
| Description of Action | Review to address the recommendations of the <i>Independent Review of Australia's Livestock Export Trade</i> (Farmer Review) and the AMSA Livestock Advisory Committee. Reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 23 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in March 2018. |
| Date of Effect | Proposed: 1 September 2018. |

| Marine Order 44 (Safe containers) 2002 | |
|---|--|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 24 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in February 2018. |
| Date of Effect | Proposed: 1 July 2018. |

| Marine Order 47 (Mobile offshore drilling units) 2012 | |
|--|--|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 25 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in June 2018. |
| Date of Effect | Proposed: 1 January 2019. |

| Marine Order 50 (Special purpose vessels) 2012 | |
|---|--|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 27 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in March 2018. |
| Date of Effect | Proposed: 1 July 2018. |

| Marine Order 51 (Fishing vessels) 1989 | |
|---|--|
| Description of Action | Review existing fishing vessel qualifications under the <i>Navigation Act 2012</i> and incorporate into Marine Order 71. |
| Consultation | Public consultation is planned to occur in October 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| Marine Order 60 (Floating offshore facilities) 2001 | |
|--|---|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Consolidate construction requirements for offshore operations. Replace schedule 36 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in June 2018. |
| Date of Effect | Proposed: 1 January 2019. |

| Marine Order 62 (Government vessels) 2003 | |
|--|---|
| Description of Action | Repeal the Order and incorporate existing requirements into Marine Order 31. Replace schedule 37 of Marine Order 4. |
| Consultation | Public consultation is planned to occur in February 2018. |
| Date of Effect | Proposed: 1 July 2018. |

| Marine Order 70 (Seafarer certification) 2014 | |
|--|---|
| Description of Action | Amendment to include the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention) changes for revised emergency training requirements for seafarers and other personnel working on passenger ships, the new training requirements for masters and deck officers working on ships that operate in polar waters, and include New Zealand Qualifications Authority as a registration authority. |
| Consultation | Public consultation is planned to occur in April 2018. |
| Date of Effect | Proposed: 1 July 2018. |

| Marine Order 72 (Engineer officers) 2014 | |
|---|---|
| Description of Action | Amendment to clarify electro-technical officer prerequisites, add a list of electrical trades, add definitions and provide clarity on certification and combination of sea time arrangements. |
| Consultation | Public consultation is planned to occur in September 2017. |
| Date of Effect | Proposed: 4 December 2017. |

| Marine Order 91 (Marine pollution prevention - oil) 2014 | |
|---|---|
| Description of Action | Amendment for the pollution prevention measures of the International Code for Ships Operating in Polar Waters (Polar Code). |
| Consultation | Public consultation is planned to occur in September 2017. |
| Date of Effect | Proposed: 4 December 2017. |

| Marine Order 95 (Marine pollution prevention - garbage) 2013 | |
|---|--|
| Description of Action | Amendment to give effect to the International Convention for the Prevention of Pollution from Ships (MARPOL Convention) changes relating to the discharge of solid bulk cargo residues (International Maritime Organization (IMO) resolution MEPC.277(70)). Reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. |
| Consultation | Public consultation is planned to occur in November 2017. |
| Date of Effect | Proposed: 1 March 2018. |

| Marine Order 96 (Marine pollution prevention - sewage) 2013 | |
|--|---|
| Description of Action | Amendment for the pollution prevention measures of the Polar Code. This work is subject to the timing of the <i>Protection of the Sea (Prevention of Pollution from Ships) Act 1983</i> amendments, which were introduced to Parliament in February 2017. |
| Consultation | Public consultation is planned to occur in September 2017. |
| Date of Effect | Proposed: 4 December 2017. |

| Marine Order 97 (Marine pollution prevention - air pollution) 2013 | |
|---|---|
| Description of Action | Amendment to give effect to the MARPOL Convention changes to statements of compliance for fuel consumption (IMO resolution MEPC.278(70)). |
| Consultation | Public consultation is planned to occur in November 2017. |
| Date of Effect | Proposed: 1 March 2018. |

| Marine Order 503 (Certificates of survey - national law) 2013 | |
|--|--|
| Description of Action | Amendment to provide greater clarity around when an 'existing vessel' will become a 'new vessel' under the Order, and provide greater flexibility around the standards that can be applied once an 'existing vessel' becomes a 'new vessel'. |
| Consultation | Public consultation is planned to occur in August and September 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| Marine Order 503 (Certificates of survey - national law) 2013 | |
|--|--|
| Description of Action | Amendment to incorporate the survey requirements for domestic commercial vessels that are currently located in the National Standard for the Administration of Marine Safety, Section 4 (NSAMS 4), in response to the AMSA Streamlining Review. Repeal of NSAMS 4. |
| Consultation | Public consultation is planned to occur in February and March 2018. |
| Date of Effect | Proposed: 1 July 2018. |

| Marine Order 504 (Certificates of operation - national law) 2013 | |
|---|---|
| Description of Action | Amendment to simplify and rationalise operational requirements for domestic commercial vessel operators, as identified during the AMSA Operational Safety Review. |
| Consultation | Public consultation is planned to occur in September and October 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| Marine Order 507 (Loadline certificates - national law) 2013 | |
|---|---|
| Description of Action | Amendment to provide the technical specifications for all vessels over 24 metres in length that will need to comply with Loadline requirements. |
| Consultation | Public consultation is planned to occur in October 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| NSCV Part C2 - Watertight and Weathertight Integrity | |
|---|---|
| Description of Action | Introduction of standards to specify requirements for watertight and weathertight integrity that will replace current requirements in the Uniform Shipping Laws Code. |
| Consultation | Public consultation is planned to occur in October 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| NSCV Part C4 - Design and Construction - Fire Safety | |
|---|--|
| Description of Action | Amendment to implement the outcomes of the review of the NSCV Part C4 undertaken by Lloyds Register in 2014/2015, address a number of technical and workability issues with current requirements, and improve the overall readability of the standard. |
| Consultation | Public consultation occurred from 18 July to 16 August 2017. |
| Date of Effect | Proposed: 1 October 2017. |

| NSCV Part C5A - Design and Construction - Engineering - Machinery | |
|--|--|
| Description of Action | Amendment to address technical and practical workability issues with current requirements. |
| Consultation | Public consultation occurred from 18 July to 16 August 2017. |
| Date of Effect | Proposed: 1 October 2017. |

| NSCV Part C7A - Design and Construction - Equipment - Safety Equipment | |
|---|---|
| Description of Action | Amendment to introduce transitional requirements that will require new and existing vessels to comply with the NSCV Part C7A from 1 January 2018, providing for a transitional period of up to two years. |
| Consultation | Public consultation is planned to occur in September 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| NSCV Part C7B - Design and Construction - Equipment - Communications Equipment | |
|---|---|
| Description of Action | Amendment to limit the kind of Emergency Position Indicating Radio Beacon (EPIRB) that can be carried on Class 1, 2 and 3 vessels to an EPIRB that floats free and automatically activates. |
| Consultation | Public consultation is planned to occur in October 2017. |
| Date of Effect | Proposed: 1 January 2018. |

| NSCV Parts F1A, B and C - Fast Craft - General Requirements for Fast Craft | |
|---|--|
| Description of Action | Amendment to address technical and practical workability issues with current requirements. |
| Consultation | Public consultation is planned to occur in January 2018. |
| Date of Effect | Proposed: 30 June 2018. |

2. Completed Regulatory Actions

| Marine Order 1 (Administration) 2013 | |
|--|---|
| Description of Action | Amendment to remove a number of definitions and terms from Marine Orders 27, 28, 31, 49, 54, 70, 91, 93 and 96 and relocate these to Marine Order 1. The definition of the STCW Code and the list of recognised organisations in Schedule 1 are also updated. |
| Date of Effect | 1 January 2017. |
| Marine Order 2 (Australian International Shipping Register) 2016 | |
| Description of Action | Amendment to remove or update modifications to Marine Orders 11, 12, 21, 25, 27, 28 and 70. |
| Date of Effect | 1 January 2017. |
| Marine Order 11 (Living and working conditions on vessels) 2015 | |
| Description of Action | Amendment to give effect to the 2014 Maritime Labour Convention changes relating to financial security system obligations. |
| Date of Effect | 18 January 2017. |
| Marine Order 12 (Construction - subdivision and stability, machinery and electrical installations) 2016 | |
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 5 of Marine Order 4. |
| Date of Effect | 1 July 2016. |
| Marine Order 17 (Liquefied gas carriers and chemical tankers) 2016 | |
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Amendment to include the Polar Code requirements for the carriage of Noxious Liquid Substances. Replace schedule 8 of Marine Order 4. |
| Date of Effect | 1 January 2017. |
| Marine Order 21 (Safety of navigation and emergency procedures) 2016 | |
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Clarify carriage of nautical publications. Replace schedule 11 of Marine Order 4. |
| Date of Effect | 1 July 2016. |
| Marine Order 25 (Equipment - lifesaving) 2014 | |
| Description of Action | Amendment to update provisions and references as a consequence of changes made to Marine Order 21. |
| Date of Effect | 1 July 2016. |
| Marine Order 27 (Safety of navigation and radio equipment) 2016 | |
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. |
| Date of Effect | 1 July 2016. |

| Marine Order 30 (Prevention of collisions) 2016 | |
|--|--|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 15 of Marine Order 4. |
| Date of Effect | 1 August 2016. |

| Marine Order 31 (Vessel surveys and certification) 2015 | |
|--|--|
| Description of Action | Consequential amendment due to the implementation of the Polar Code under Marine Order 53, which requires the inclusion of the Polar Ship Certificate as a safety certificate. |
| Date of Effect | 1 January 2017. |

| Marine Order 32 (Cargo handling equipment) 2016 | |
|--|--|
| Description of Action | Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 17 of Marine Order 4. |
| Date of Effect | 1 January 2017. |

| Marine Order 34 (Solid bulk cargoes) 2007 | |
|--|--|
| Description of Action | Clarify early implementation of regular amendments to the International Maritime Solid Bulk Cargoes Code. Review and reissue the Order under the <i>Navigation Act 2012</i> and modernise the drafting style. Replace schedule 19 of Marine Order 4. |
| Date of Effect | 1 January 2017. |

| Marine Order 42 (Cargo stowage and securing) 2014 | |
|--|--|
| Description of Action | Implement regulations 2 (4-6) of Chapter VI of the SOLAS Convention for verification of gross mass of container carrying cargo (IMO Resolution MSC.380(94)). |
| Date of Effect | 1 July 2016. |

| Marine Order 53 (Vessels in polar waters) 2016 | |
|---|--|
| Description of Action | New Marine Order to implement SOLAS Chapter XIV and give effect to the Polar Code. |
| Date of Effect | 1 January 2017. |

| Marine Order 59 (Offshore support vessel operations) 2011 | |
|--|----------------------|
| Description of Action | Repeal of the Order. |
| Date of Effect | 20 June 2017. |

| Marine Order 70 (Seafarer certification) 2014 | |
|--|--|
| Description of Action | Amendment to give effect to the STCW Convention and STCW Code changes for competencies of seafarers working on vessels subject to the International Code of Safety for Ships using Gases or other Lowflashpoint Fuels. |
| Date of Effect | 1 January 2017. |

| Marine Order 97 (Marine pollution prevention - air pollution) 2013 | |
|---|---|
| Description of Action | Amendment to update references to IMO Guidelines on the method of calculation of the attained Energy Efficiency Design Index for new ships. |
| Date of Effect | 1 December 2016 |

| Marine Order 97 (Marine pollution prevention - air pollution) 2013 | |
|---|--|
| Description of Action | Amendment to give effect to changes in regulation 13 of Annex VI of the MARPOL Convention for record requirements for operational compliance with NOx Tier III emission control areas (IMO Resolution MEPC.271(69)). |
| Date of Effect | 1 September 2017. |

| Marine Order 501 (Administration - national law) 2013 | |
|--|---|
| Description of Action | Amendment to provide that applications for the granting of an exemption must be made in accordance with the requirements in Marine Order 501. Other miscellaneous amendments to improve clarity of the Order. |
| Date of Effect | 1 September 2016. |

| Marine Order 502 (Vessel identifiers - national law) 2013 | |
|--|--|
| Description of Action | Amendment to the criterion for the issue of a unique identifier in the circumstance where a unique identifier has not previously been issued by AMSA for a vessel. |
| Date of Effect | 1 July 2017. |

| Marine Order 503 (Certificates of survey - national law) 2013 | |
|--|---|
| Description of Action | Amendment to provide clarity around the type of information to be provided with an application for an equivalent means of compliance before AMSA will commence assessing the application, and the criteria that needs to be met before an equivalent means of compliance can be approved. |
| Date of Effect | 1 September 2016. |

| Marine Order 506 (Approval of training organisations - national law) 2013 | |
|--|--|
| Description of Action | Repeal of the Order, consequential amendment to Marine Order 505 and repeal of the National Standard for the Administration of Marine Safety, Section 5. |
| Date of Effect | 1 July 2017. |

| NSCV Parts C7A, B and C - Design and Construction - Equipment - Navigation Equipment | |
|---|--|
| Description of Action | Amendment to align compass adjustment licensing requirements with requirements under the <i>Navigation Act 2012</i> and provide more flexibility in terms of the persons competent to carry out compass adjustments and the frequency of compass adjustment. |
| Date of Effect | 1 February 2017. |

| NSCV Part F2 - Leisure Craft | |
|-------------------------------------|--|
| Description of Action | Amendment to align the standard with the <i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012</i> , related instruments, international standards and industry best practice, and update references. |
| Date of Effect | 1 April 2017. |

NSCV Part G - General Safety Requirements for Vessels

| | |
|------------------------------|--|
| Description of Action | Amendment to incorporate technical content for vessel design, construction and equipment standards, provide industry with greater flexibility in meeting some requirements, rationalise requirements relating to the carriage of equipment, and restructure and co-locate requirements to improve overall readability and assist industry understanding of requirements. |
| Date of Effect | 1 April 2017. |

Intentionally left blank

