



The Hon Barnaby Joyce MP
Deputy Prime Minister
Minister for Infrastructure, Transport and Regional Development
Parliament House Canberra
PO Box 963
TAMWORTH NSW 2340
minister.joyce@infrastructure.gov.au

Dear Minister

Australian Maritime Safety Authority Statement of Intent

I am pleased to provide you with the Statement of Intent for the Australian Maritime Safety Authority (AMSA), in response to your Statement of Expectations for AMSA, issued on 11 November 2021.

This Statement of Intent outlines AMSA's approach to achieving the goals that you have set out in your Statement of Expectations. It reaffirms AMSA's commitment to our legislated purpose and outlines our strategic priorities, including taking a modern, risk-based approach and collaborating with our stakeholders in delivering our regulatory functions.

The Board will monitor progress towards achieving these priorities and report against them in AMSA Annual Reports and Corporate Plans. I will also advise you about matters or challenges that may significantly impact AMSA or warrant Government consideration.

Yours faithfully

Stuart Richey AM
Chair

11 January 2022

AUSTRALIAN MARITIME SAFETY AUTHORITY

STATEMENT OF INTENT

JANUARY 2022

1. This Statement outlines the response of the Australian Maritime Safety Authority (AMSA) to the Statement of Expectations – Australian Maritime Safety Authority of 11 November 2021, which sets out expectations for the strategic direction of AMSA and the way AMSA should perform its functions.
2. AMSA will perform its legislated functions to promote maritime safety, protect the marine environment from shipping pollution and environmental damage, and preserve life through search and rescue services, in accordance with the *Australian Maritime Safety Authority Act 1990*, *Public Governance, Performance and Accountability Act 2013* and other legislation.

Regulatory Approach

3. AMSA will undertake regulatory functions in accordance with the principles outlined in the Government's Regulator Performance Guide and guidance provided by the Office of Best Practice Regulation. During 2022, we will review our Statement of Regulatory Approach 2018 to ensure ongoing alignment with these principles.
4. AMSA will continue to set regulatory requirements that promote maritime safety and the protection of the marine environment that are justified by risk.
5. AMSA will seek opportunities to actively engage with the Government's Deregulation Agenda, including any learning programs that may be made available for AMSA staff under that program.
6. We will seek further opportunities to simplify requirements and reduce regulatory burden and the impact of our requirements, particularly for lower risk operations. When considering the regulatory impact of any proposed regulatory changes on regional and remote communities AMSA will be guided by the Office of Best Practice Regulation's recommended approach.
7. AMSA will also work to ensure that our regulatory approach accommodates innovation and the adoption of new technologies. AMSA will continue to work with our portfolio Department to advise where in AMSA's view laws impede this regulatory approach.

International and Regional Engagement

8. AMSA will continue to influence and uphold international maritime standards and obligations at international forums, including the International Maritime Organization. We will continue to work regionally to assist neighbouring countries build human and institutional capacity to comply with international maritime standards and undertake search and rescue, consistent with Australia's foreign policy objectives and our Technical Cooperation Strategy 2021-2024.
9. AMSA will also refine its targeted and risk-based international vessel monitoring and inspection regime to maintain high safety and pollution prevention standards for ships entering Australian ports, as outlined in our Corporate Plan.

Domestic Commercial Vessel Safety

10. Building on positive trends over recent years, AMSA will continue to focus on promoting safety in the domestic commercial vessel fleet and minimising the risk of incidents through carefully considering data and risk. The diverse nature of the fleet necessitates a review of the legislative framework to ensure the requirements are risk-based, accommodate advancements in technologies, and ensure AMSA can take compliance and enforcement action that is proportionate to the offending behaviour and meets community expectations.
11. During 2022, AMSA will share its experiences administering the National Law with the independent reviewers of the national system and our portfolio Department, including areas where it is working well and areas where it can be improved. AMSA considers the independent review provides an opportunity to inform the development of a revised legislative framework that is fit for purpose, flexible, and meets the needs of this diverse industry.
12. Through the review process AMSA will also identify areas of overlapping regulations which is in alignment with the Government's Deregulation Agenda priorities.
13. Following the outcomes of the independent review and the implementation of any changes to the legislation, AMSA will work to further simplify requirements and service delivery models, particularly for lower risk operations and operators located in rural and remote locations.

Data and Reporting

14. An enhanced data management capability is a core priority for AMSA. During 2022 AMSA will finalise a Data Strategy and continue work to ensure we strengthen our use of data in our regulatory approach and decision-making, annual compliance program, education and inspection campaigns, and policy reform. We will work to ensure our information management and digital service delivery meets stakeholder expectations of simple digital interactions and useful data access. AMSA will also continue to work with our regulated community to increase incident reporting and publication of more comprehensive incident and inspection data, mindful of the cost to do so and the impact that data collection has on industry.

Grandfathered Safety Requirements

15. Grandfathering was included in the 2011 Intergovernmental Agreement on Commercial Vessel Safety to enable existing commercial operators to transition to the National System with minimal impact. While this approach was successful in minimising financial impacts to existing operators it has allowed operations that may not meet contemporary safety requirements to continue and is increasingly proving to be a disincentive for some operators to invest in new businesses, vessels and technology. AMSA agrees that, where evidence suggests a grandfathered arrangement is an unacceptable risk to safety, that requirement should be subject to review.

16. AMSA will, in consultation with our portfolio Department and industry, undertake a risk-based review of the grandfathering arrangements, informed by the best available data, evidence, and stakeholder views, to consider whether the arrangements are fit-for-purpose and aspects that may require change. Where changes to high-risk grandfathered arrangements will deliver benefits to safety that justify potential costs, AMSA will work with industry and Government to implement the necessary changes, giving due consideration to the impacts on industry and support that may be required.

Search and Rescue and Emergency Response

17. AMSA will continue to perform its critical role as Australia's Commonwealth maritime and aviation search and rescue authority. We will also complete the scheduled review of the National Plan for Maritime Environmental Emergencies in collaboration with relevant agencies and industry and provide advice to you on areas identified for improvement as requested.

Transparency and Accountability

18. AMSA will publish this Statement and the Minister's Statement of Expectations on our website. Our 2021-22 Corporate Plan already details activities consistent with the Deputy Prime Minister's expectations, and future Corporate Plans will detail the specific implementation actions we are taking. Progress will be monitored by our Board, and reported to the Minister in our Annual Reports. The Minister will also be advised about matters or challenges that may significantly impact AMSA or warrant Government consideration.