



AMSA investigations - what to expect

The Australian Maritime Safety Authority (AMSA) is responsible for administering and enforcing a range of maritime safety and environmental protection laws.

Why does AMSA conduct investigations?

We may investigate after:

- a marine incident
- a report of possible non-compliance
- an inspection
- an audit
- receiving intelligence.

We investigate to understand what happened, why it happened and what should change to prevent it happening again.

As the regulator, we investigate to determine whether maritime safety and environmental protection laws have been complied with and whether compliance or enforcement action is required.

We look for opportunities to improve safety and environmental outcomes, as well as enhance the effectiveness of safety education initiatives.

AMSA does not conduct 'no blame' safety investigations. 'No blame' safety investigations may be conducted by an authority other than AMSA (for example, the Australian Transport Safety Bureau).

What happens during an investigation?

Every investigation is different. The steps we take will depend on the nature and complexity of the matter. However, an investigation will generally involve:

1 Assessment

We assess available information to determine whether further action is appropriate, including an assessment of whether a full investigation warranted.

2 Information gathering

An investigator gathers relevant information and evidence. This may include documents and records, photographs, vessel information or other material.

3 Interviews and enquiries

An investigator may speak with people involved in the incident, witnesses or others with relevant information. This may include vessel owners, operators, masters, crew members and other stakeholders.

4 Review and analysis

We review the information gathered to establish the facts and identify any breaches of maritime safety and environmental protection laws.

5 Outcome and decision-making

Once the investigation is complete, we review the information and evidence to determine whether action is needed. Outcomes include:

- no further action
- education or guidance
- compliance or enforcement action
- referral to the Commonwealth Director of Public Prosecutions.

Not every investigation identifies a breach of the law. Not every breach results in enforcement action.

What can you expect from AMSA?

You can expect that our investigators will:

- act professionally and respectfully and explain the purpose of the investigation
- ensure that you are aware of your rights and obligations, including:
 - when you're required to answer questions or produce documents
 - when you're not required to respond or answer questions
- gather relevant information and evidence, keep information secure and handle it in line with legal requirements
- provide a point of contact for questions about the investigation process.



What does AMSA expect from you?

You're expected to:

- provide accurate and complete information
- respond to reasonable requests promptly
- preserve relevant records and documents
- tell the investigator if you have any concerns about the process.

How long will an investigation take?

The duration of an investigation depends on a range of factors, including the complexity of the matter, the availability of information, and the number of parties involved.

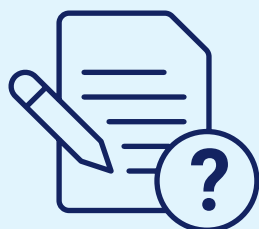
While AMSA aims to progress investigations as efficiently as possible, some matters may take longer to ensure that all relevant information is considered.

Important information

The information in this fact sheet is general in nature and is provided as a guide only. It does not replace, limit or otherwise affect the operation of applicable legislation, or AMSA's policies and procedures, and should not be relied on as legal advice.

The steps taken in any particular investigation may vary from those described in this fact sheet where appropriate to the circumstances.

Contact for enquiries



For questions about a specific investigation, please contact the nominated AMSA investigator.

Your AMSA contact

Investigator: _____

Position: _____

Phone: _____

Email: _____

Compliance and enforcement policy

To learn more about how we conduct investigations, read our compliance and enforcement policy.

amsa.gov.au/compliancepolicy