



Australian Government

Australian Maritime Safety Authority

INTER-GOVERNMENTAL AGREEMENT ON NATIONAL SEARCH AND RESCUE RESPONSE ARRANGEMENTS

INTER-GOVERNMENTAL AGREEMENT ON NATIONAL SEARCH AND RESCUE RESPONSE ARRANGEMENTS

This AGREEMENT is made in November 2017.

BETWEEN

THE COMMONWEALTH OF AUSTRALIA

THE STATE OF NEW SOUTH WALES

THE STATE OF VICTORIA

THE STATE OF QUEENSLAND

THE STATE OF WESTERN AUSTRALIA

THE STATE OF SOUTH AUSTRALIA

THE STATE OF TASMANIA

THE NORTHERN TERRITORY OF AUSTRALIA

THE AUSTRALIAN CAPITAL TERRITORY

(‘The Parties’)

1. DEFINITIONS

- 1.1 **‘Alerting Post’** means any facility serving as an intermediary receiving distress alerts and then responsible for onward distribution to the responsible SAR Authority.
- 1.2 **‘AMSA’** means the Australian Maritime Safety Authority.
- 1.3 **‘Australian SAR Authority’** means the authority with international responsibility for compliance with Australia’s search and rescue obligations, being AMSA.
- 1.4 **‘International distress alert’** means an internationally recognised distress alert or signal with location data, if available.
- 1.5 **‘National Search and Rescue Response Arrangements’** means this agreement.
- 1.6 **‘National SAR Council’** means the National Search and Rescue Council as constituted in accordance with paragraph 3.1 of this agreement.
- 1.7 **‘National SAR Manual’** means the National Search and Rescue Manual endorsed by the National SAR Council as the standard reference to be used by all search and rescue authorities in Australia for search and rescue operations.
- 1.8 **‘SAR’** means search and rescue.

- 1.9 **‘SAR Facility’** means any mobile resource, including designated search and rescue units, used to conduct search and rescue operations.
- 1.10 **‘State and Territory SAR Authorities’** means the following agencies nominated by each Party to this agreement:
- The New South Wales Police for the State of New South Wales;
 - The Victoria Police for the State of Victoria;
 - The Queensland Police for the State of Queensland;
 - The Western Australia Police for the State of Western Australia;
 - The South Australia Police for the State of South Australia;
 - The Tasmania Police for the State of Tasmania;
 - The Northern Territory Police for the Northern Territory;
 - The Australian Federal Police for the Australian Capital Territory including Jervis Bay; and
 - The Australian Federal Police for the territories of Christmas Island, Cocos (Keeling) Islands, and Norfolk Island.
- 1.11 **‘State/Territory Emergency Service Agencies’** means the agencies that have responsibility for providing State/Territory emergency services as legislated within each State/Territory, which provide support to the national SAR arrangements.
- 1.12 **‘Vessels’** and **‘craft’** do not include vessels and craft of the Australian Defence Force or those of the defence force of any other country.

2. PURPOSE OF THE AGREEMENT

- 2.1 This agreement is intended to provide guidance to the SAR Authorities of all Parties, recognising that:
- 2.1.1 This Agreement updates and replaces the Agreement signed 29 June 2012;
- 2.1.2 AMSA, established under the Australian Maritime Safety Authority Act 1990 as a Commonwealth statutory authority, has as a legislative function the provision of a national search and rescue service in a manner consistent with Australia’s obligations under the:
- *Convention on International Civil Aviation, 1944 (‘Chicago’ Convention);*
 - *International Convention for the Safety of Life at Sea , 1974 (SOLAS) (the Safety Convention); and*
 - *International Convention on Maritime Search and Rescue, 1979 (the SAR Convention);*
- 2.1.3 The promotion of continued cooperation in the provision of search and rescue between the Australian SAR Authority and each of the State and Territory SAR Authorities is essential; and

- 2.1.4 The National Search and Rescue Response Arrangements for coordination of resources to be used in search and rescue operations are fundamental to the success of a national search and rescue service.

3. TERMS OF THE AGREEMENT

- 3.1 The Parties agree that the National SAR Council will be the national coordinating body for search and rescue response arrangements in Australia, with the following functions:
- I. oversee the implementation of search and rescue arrangements within Australia's search and rescue region for consistency with the National Search and Rescue Response Arrangements;
 - II. sponsor and promote the development and use of the National SAR Manual, which details agreed search and rescue response and coordination arrangements in Australia; and
 - III. promote the ongoing effectiveness of the cooperative arrangements between the SAR Authorities.
- 3.2 The Parties will take such action as is provided for by this agreement and as is otherwise required to achieve the objectives of the National Search and Rescue Response Arrangements in accordance with the roles and responsibilities set out below.
- 3.3 The Parties accept the administrative and funding arrangements underpinning the operation of the National Search and Rescue Response Arrangement as outlined in this agreement.
- 3.4 The Parties will plan and resource for search and rescue responsibilities as set out in the National SAR Manual, recognising and accepting that the first SAR Authority to become aware of a search and rescue incident is obliged to respond until overall coordination can be transferred to the SAR Authority best placed to coordinate the response, in accordance with the principles set out in the National SAR Manual.
- 3.5 The Parties agree to support the National Search and Rescue Arrangement to ensure that:
- I. Australia's obligations under international conventions and agreements relating to search and rescue are fulfilled;
 - II. The national approach to search and rescue coordination is continued and strengthened;
 - III. Mechanisms are in place to facilitate cooperative decision making; and
 - IV. The obligations of Parties under this arrangement are met.

4. RESPONSIBILITIES FOR SEARCH AND RESCUE

- 4.1 The Parties agree to continue to recognise and maintain the long standing and well understood division of responsibility between the Commonwealth and the States and Territories for search and rescue in relation to persons, vessels, vehicles and aircraft.

4.2 The Australian SAR Authority

- 4.2.1 The Australian SAR Authority will have primary responsibility for coordinating search and rescue operations for:
- I. International civil aircraft, manned space vehicles and aircraft on the Civil Aviation Safety Authority (CASA) and Recreational Aviation Australia (RA-Aus) registers; and
 - II. Persons on or from a vessel at sea.
- 4.2.2 The Australian SAR Authority has a function as an Alerting Post responsible for receiving international distress alerts for onward distribution to the responsible SAR Authority as per appendix B of the NATSAR Manual.
- 4.2.3 The Australian SAR Authority will be responsible for any liaison with international search and rescue authorities that may be required in response to any search and rescue operation.
- 4.2.4 The Australian SAR Authority will be responsible for the overall coordination of any national emergency plan or arrangement involving search and rescue within the Australian search and rescue region.

4.3 State and Territory SAR Authorities

- 4.3.1 The State and Territory SAR Authorities will have responsibility for coordinating search and rescue operations for:
- I. Persons and vehicles on land;
 - II. Persons and vessels on inland waterways and in waters within the limits of the ports of the relevant State or Territory;
 - III. Persons on or from a vessel at sea;
 - IV. Aircraft not included in the CASA and RA-Aus registers including ultralights, para-gliders, hang-gliders, and gyrocopters; and
 - V. Land searches for missing registered civil aircraft in support of the Australian SAR Authority.
- 4.3.2 The State and Territory SAR Authorities will coordinate volunteer rescue organisations within their respective jurisdictions.

5. COOPERATIVE ARRANGEMENTS

- 5.1 The Parties agree to the following cooperative arrangements to underpin Australia's search and rescue system:
- I. The National SAR Manual is formally recognised as the standard reference for operational use by the Australian and the State and Territory SAR Authorities.
 - II. The Australian and State and Territory SAR Authorities are to follow the cooperative arrangements described in the National SAR Manual.

- III. The SAR Authority first becoming aware of a search and rescue incident will take all necessary action until responsibility can be handed over to the search and rescue authority better placed to take overall coordination.
- IV. When a number of SAR Authorities contribute to a search and rescue operation, one SAR Authority will have overall coordination responsibility and the others will act in support in accordance with the procedures established by the National SAR Manual.
- V. If an aviation or maritime search and rescue operation for which a State or Territory SAR Authority has overall coordination over-reaches that Authority's capabilities overall coordination may, by mutual consent, be transferred to the Australian SAR Authority in accordance with the procedures established by the National SAR Manual. Similarly, if the Australian SAR Authority is over committed with other search and rescue operations it may, by mutual consent, transfer overall coordination to a State or Territory SAR Authority. No SAR Authority will unreasonably refuse the transfer of overall coordination.
- VI. The Parties agree to ensure that any emergency management plan or arrangement that impacts on search and rescue preparedness and/or response, is considered by the National SAR Council to ensure that the appropriate coordination and harmonisation is in place.
- VII. The Parties will facilitate the involvement of State/Territory Emergency Service Agencies and other organisations within their respective areas of responsibility, to provide support to the national SAR arrangements.

6. SAR RESOURCING AND OPERATIONAL EXPENSES

- 6.1 Each Party shall provide resources to its SAR Authority based on planning for search and rescue responses as outlined above.
- 6.2 The Australian and the State and Territory SAR Authorities shall each provide, without charge unless otherwise agreed, such assistance or facilities as may reasonably be requested by the SAR Authority with overall coordination of a search and rescue operation.
- 6.3 The Australian and the State and Territory SAR Authorities will each coordinate the provision of assistance or facilities by the State/Territory Emergency Service Agencies and other organisations that support the national SAR arrangements within their respective jurisdictions, without charge unless otherwise agreed, as may reasonably be requested by the SAR Authority with overall coordination of a search and rescue operation.
- 6.4 A SAR Authority that hires or requisitions privately owned facilities for a search and rescue operation will, unless otherwise agreed between the SAR Authorities, bear any costs of hiring or payment of compensation for such requisitioning.
- 6.5 Where the resources required to respond to a search and rescue exceed those available to any Party, or where the circumstances require significant coordination across Party

agencies, a search and rescue may develop into an emergency management response. Where a search and rescue results in State, Territory or national emergency plans or arrangements being activated, they are to be activated in support of national search and rescue response arrangements established through this agreement.

7. OPERATION OF THE NATIONAL SAR COUNCIL

7.1 Management

- 7.1.1 The National SAR Council is to be chaired by AMSA and the secretariat for the National SAR Council is also provided by AMSA to facilitate the implementation of this agreement.
- 7.1.2 Each Party will encourage the representatives from its SAR Authority to consider a whole-of-government perspective, and not just the views of its own agency.

7.2 Membership

- 7.2.1 Membership of the National SAR Council comprises one representative from each of:
 - I. the Australian SAR Authority,
 - II. each of the State and Territories SAR Authorities, and
 - III. the Australian Defence Force.

7.3 Meetings

- 7.3.1 The Council should meet at least annually and may conduct its business out of session, providing a record is agreed between members affirming the decisions made out of session. Meetings may be held face to face or by teleconference or videoconference. Notice of meetings and agendas will be given at least one week in advance, unless otherwise agreed by the members. Meetings will not proceed unless a majority of members are able to attend.

7.4 Costs

- 7.4.1 Each member of the National SAR Council bears its own costs and expenses incurred in the course of Council business.

8. AMENDMENTS

- 8.1 The Parties may at any time review this agreement and, if they unanimously decide to modify this agreement will take all practical steps to give effect to their decision by executing a replacement agreement.

9. COMMENCEMENT AND DURATION

- 9.1 This agreement will commence on the date it is signed by all Parties.
- 9.2 The Parties may unanimously decide to terminate this agreement, and having done so each Party will do all that is practicable to terminate it.

10. COUNTERPARTS

10.1 This agreement may be executed in any number of counterparts and by the parties on separate counterparts and all counterparts taken together constitute one document.

ENDORSED in November 2017:

By the following representatives.

For the COMMONWEALTH:



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The Hon Darren Chester MP
Minister for Infrastructure and Transport



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Hon Michael Keenan MP
Minister for Justice

For the AUSTRALIAN CAPITAL TERRITORY



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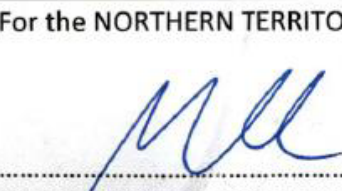
The Hon Mick Gentleman MLA 30/11/17
Minister for Police and Emergency Services

For the State of NEW SOUTH WALES



.....
The Hon Troy Grant MP
Minister for Police and Emergency Services

For the NORTHERN TERRITORY



.....
The Hon Michael Gunner MLA
Minister for Police, Fire and Emergency Services

For the State of SOUTH AUSTRALIA



.....
The Hon Chris Picton MP
Minister for Police, Correctional Services, Emergency Services and Road Safety

For the State of VICTORIA



.....
The Hon Lisa Neville MP
Minister for Police

Inter-governmental Agreement on National Search and Rescue Response Arrangements

For the State of TASMANIA

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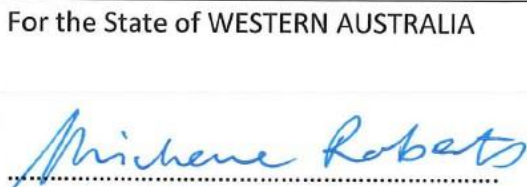
The Hon Rene Hidding MP
Minister for Police and Emergency Management

For the State of QUEENSLAND

A large, stylized black ink signature of Mark Ryan, written over a horizontal dotted line.

The Hon Mark Ryan MP
Minister for Police, Fire and Emergency Services

For the State of WESTERN AUSTRALIA

A large, stylized blue ink signature of Michelle Hopkins Roberts, written over a horizontal dotted line.

The Hon Michelle Hopkins Roberts MLA
Minister for Police and Road Safety

2 JAN 2018