

National Standard for Commercial Vessels C7A – Safety Equipment Standard

Frequently asked questions

1. Why has Maritime Safety Queensland changed the safety equipment provisions for ships?

Maritime Safety Queensland changed the legislation in order to:

- improve the safety of passengers, crew and operators of registered commercial and fishing ships by adopting the new national safety equipment standard which takes into consideration recent advancements in technology and international standards
- increase national uniformity by minimising the different operating requirements between states for commercial and fishing industries.

2. When will the changes come into effect?

The safety equipment standard is effective from 1 June 2009.

3. Who will be affected by the change?

The regulatory changes will affect owners/masters/operators of registered ships in the commercial and fishing industries by requiring compliance with the new National Safety Equipment Standard.

4. Are there any ships that won't be affected by the change?

The regulatory changes will not affect:

- unregistered fishing ships less than 10 metres in length
- class 1F hire and drive ships (as the current lifesaving appliances requirements from the Uniform Shipping Laws Code will be retained)
- recreational ships

These vessels will need to comply with the existing regulation.

5. What are the new safety equipment requirements for new commercial and fishing ships?

After commencement date, owners and operators of new commercial and fishing ships will need to be equipped to comply with the amended regulation. The amended regulation calls up the National Standard for Commercial Vessels Part C7A in relation to type and quantity, design construction, installation, and servicing of safety equipment.

6. Are there any alternatives to the new safety equipment requirements?

Ship owners and operators may make application to Maritime Safety Queensland in writing on the prescribed form, to demonstrate that they can meet the required standards in Safety Equipment by providing an equivalent solution.

Maritime Safety Queensland approval for the use of an equivalent solution must be shown on the ship's registration certificate.

7. Are there any transitional arrangements for existing commercial and fishing ships?

Yes. The transition periods are:

- two years from commencement date of the amendment for type and quantity of safety equipment
- five years from commencement date of the amendment for design and construction, installation and servicing requirements of safety equipment.

However, if the safety equipment needs replacing no further transition periods apply.

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8. Do I need to replace defective safety equipment during the transition period?

During transition periods, if an existing item of equipment becomes irreparable, unserviceable, incapable of being restored to its original working condition or has reached the end of its serviceable life (as stated by the manufacturer), it must be replaced with safety equipment specified in the National Standard for Commercial Vessels Part C7A.

9. I own a registered commercial/fishing ship – when do I have to update my safety equipment?

If you have an existing ship that was operating before the amendment commencement, you can elect to either be fully compliant with the new standard provisions from the commencement date, or continue to comply with the provisions under the Uniform Shipping Laws Code (USL Code) for the transition periods.

10. What if I decide not to comply with the requirements?

Failure to comply with the safety equipment requirements constitutes a breach of Section 44 of the *Transport Operations (Marine Safety) Act 1994*.

11. Are there any classes of ship excluded from the amendments?

Yes. You will not be affected by the changes if you own a:

- hire and drive ship
- recreational ship
- fishing ship less than 10 metres
- bareboat ship

12. How can the cost of new equipment be minimised?

Maritime Safety Queensland has considered the expense to update safety equipment and introduced the transitional arrangements to help disperse this cost over the time allocated.

13. Where can I get a copy of the National Standard for Commercial Vessels C7A?

To download the standard, visit the National Marine Safety Committee website at www.nmsc.gov.au.

14. As well as the safety equipment itself are there any other obligations?

In addition to the safety equipment required on board, the ship operator may be required to demonstrate, through emergency plans or ship safety management processes, that the crew knows how to use the equipment effectively. This is to meet the General Safety Obligation.

15. I have a new fishing/commercial ship. What are my safety equipment obligations?

Under the regulation, new ships are defined as commercial or fishing ships that have not been operated before the commencement date of the amendment. In addition, under regulation new ships must have one of the following:

- an application for a Design Approval Certificate which has been received by Maritime Safety Queensland
- a Certificate of Compliance–Design issued by an accredited ship designer after commencement date.

These new ships must comply in full with the National Standard for Commercial Vessels Part C7A safety equipment requirements and relevant variations in the *Transport Operations (Marine Safety) Regulation 2004*.

16. I have a ship currently under construction. What are my safety equipment obligations?

New ships under construction will qualify for the 'transition period' to the National Standard for Commercial Vessels Part C7A. To be considered an application must be received by Maritime Safety Queensland before 1 June 2009 for a Design Approval Certificate or Certificate of Compliance–Design issued by an accredited ship designer.

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17. I operate a fishing/commercial ship which is registered in several classes. What are my safety equipment obligation/s?

The ship need only be equipped with the lifesaving equipment required for the class in which it is operating.

18. Do I need to carry the correct number of life jackets for the number of people I have on board, or for the number of people allowed by my registration certificate?

Under the new amendment, the National Standard for Commercial Vessels C7A, chapter 4 requires a ship to be equipped with life jackets for the number of persons on board.

19. Are markings still necessary on the safety equipment?

Yes. Ships must provide safety equipment with the required markings as outlined in the National Standard for Commercial Vessels, Uniform Shipping Laws Code, Marine Orders, Australian or other Standard, that applies to it.

20. I am updating my safety equipment but have limited space. Are there any requirements for stowage?

- stowage locations shall be easily accessible and easily seen
- otherwise, they shall be clearly marked with the type and, if more than one device, the number of devices stowed in that location
- safety equipment (including life jackets) shall not be stowed directly above a machinery space or other high-risk space
- all safety equipment must be installed for timely operation during emergency situations.

21. I've previously been able to equip my ship with PFD Type 1 life jackets. Will this continue?

Yes, as long as you continue to operate in smooth waters as per your registration.

22. I run a diving operation. Can we still use inflatable diver's life jackets?

Yes. Where your vessel is required to be equipped with life jackets, you are compliant if the person is wearing an inflatable diver's jacket to the standard BS EN 12628:1999.

23. Do the prescribed medical supplies now come under the heading of Safety Equipment?

Yes. Under the new amendment Medical Supplies are included as Safety Equipment and a ship shall carry the type and quantity appropriate to its category of service and area of operation.

24. Where can I find out more information on safety equipment requirements?

Go to the Maritime Safety Queensland website at www.msq.qld.gov.au and select Safety/Safety Equipment Commercial and Fishing Ships or contact our offices:

Airlie Beach	07 4946 2200
Bundaberg	07 4131 8500
Cairns	07 4052 7400
Gladstone	07 4973 1200
Hervey Bay	07 4194 9600
Mackay	07 4944 3700
Mooloolaba	07 5477 8425
Pinkenba	07 3860 3500
Southport	07 5539 7300
Townsville	07 4726 3400

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