

National Standard for Commercial Vessels Part C7A – Safety Equipment Standard

Safety equipment requirements for commercial and fishing ships

Background

The amendment to the *Transport Operations (Marine Safety) Regulation 2004* provides for the implementation of safety equipment requirements at Part C7A of the National Standard for Commercial Vessels and is effective from 1 June 2009.

The amendment affects the carriage of safety equipment on all commercial and fishing ships excluding Class 1F ships and fishing ships less than 10 metres measured length, and those that legitimately operate as Bay Boats.

The amendment provides for the implementation of the new standard and includes timeframes (refer s241 and s242) for transition to full compliance with requirements.

Maritime Safety Queensland has completed significant industry consultation in the lead up to these regulatory changes, particularly with the fishing sector that is most affected by the changes.

What is a commercial ship?

Under Section 10A of the *Transport Operations (Marine Safety) Act 1994*, a commercial ship is defined as one of the following:

- a) a ship other than a fishing or recreational ship
- b) a tender to a ship other than a fishing ship or recreational ship.

What is a fishing ship?

Under the same section as above, a fishing ship is one of the following:

- a) a ship authorised under *The Fisheries Act 1994*
- b) a ship authorised, under a development permit under the *Integrated Planning Act 1997*, or aquaculture purposes
- c) a ship that is a boat for which a licence has been granted under *The Fisheries Management Act 1991 (Cwlth)* or the *Torres Strait Fisheries Act 1984 (Cwlth)*
- d) a tender to a ship mentioned in paragraph (a), (b), or (c).

Policy position

New ships

New ships are commercial or fishing ships that had not been operated before 1 June 2009 and for which an application for a Design Approval Certificate is received by Maritime Safety Queensland, or a Certificate of Compliance–Design is issued by an accredited ship designer after 1 June 2009.

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

Existing ships

Existing ships are commercial and fishing ships that were equipped with the required safety equipment, prior to 1 June 2009. These ships will qualify for transition to the National Standard for Commercial Vessels Part C7A as outlined in ‘Transition periods’.

Ships under construction

New ships under construction will qualify for the ‘transition periods’ 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.

Transition periods

In recognition of the cost to ship owners to comply with the amended regulation, and the serviceable lifespan of safety equipment, Maritime Safety Queensland has allowed transition periods for existing vessels and some new vessels (where applicable) to comply with the new requirements. The transition periods are:

- two years to be compliant with type and quantity of safety equipment
- five years to be compliant with specifications and quality of safety equipment.

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

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Type and quantity – two years

By the end of this transition period, unless an equivalent solution has been proposed and accepted by Maritime Safety Queensland, a ship must be equipped with the type and quantity of safety equipment (including medical supplies) required for the class in which it is registered.

During the two year transition period safety and medical equipment for all registered commercial and fishing ships must meet the quality standards as prescribed in the Uniform Shipping Laws Code (USL Code).

Quality – five years

By the end of this transition period, unless an equivalent solution has been proposed and accepted by Maritime Safety Queensland, the design, construction, installation, and servicing of safety and medical equipment on board must comply with requirements of the National Standard for Commercial Vessels C7A.

With respect to class 1A, 2A and 3A ships, the transitional provisions of Part 25 of Marine Orders for Safety Equipment and Part 10 for Medical Supplies will apply under *The Navigation Act 1912 (Cwlth)*.

For all other commercial and fishing ships, transition arrangements will afford vessel owners and operators the time to upgrade their safety equipment to full compliance with the requirements of the new standard. When an item of safety equipment becomes irreparable, unserviceable, incapable of being restored to its original condition, or has reached the end of its serviceable life as stated by the manufacturer, the replacement equipment must comply with the National Standard for Commercial Vessels C7A requirements.

Equivalent solutions

The owners and operators of existing and new ships have the option of applying to Maritime Safety Queensland for consideration of equivalent solutions to National Standard for Commercial Vessels safety equipment requirements. (Please refer to the sample form attached).

Applications for equivalent solutions will be decided by the General Manager, or delegate, and must be submitted to enable finalisation prior to the expiry of the relevant transition period.

If an equivalent solution is approved, a copy of the approval must be carried as part of the ships documentation and presented to a Shipping Inspector if requested.

Contact information

If you require further information contact 07 3120 7359, or one of Maritime Safety Queensland regional offices listed below.

Safety equipment requirements can also be downloaded from Maritime Safety Queensland's website at www.msq.qld.gov.au.

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

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Guidelines for processing applications for National Standards for Commercial Vessels Safety Equipment equivalent solutions Attachment 4

DETAILS REQUIRED FOR AN NSCV C 7A EQUIVALENT SOLUTION APPLICATION

Example information provided

Ship details						
Name	No of persons	Length	File number	Rego number	Class	
<i>Blue Belle</i>	<i>12</i>	<i>15.5 m</i>	<i>905/12345</i>	<i>54321QC</i>	<i>2C</i>	
<i>Belle of May</i>	<i>12</i>	<i>15.5 m</i>	<i>905/23456</i>	<i>65432QC</i>	<i>2C</i>	

An exemption is requested from carrying/fitting the items listed as required (NSCV C 7A deemed-to-satisfy solutions)		
Item no	NSCV C 7A clause	Item
<i>1</i>	<i>Table 3</i>	<i>Inflatable Coastal Liferaft for 100 % complement</i>
<i>2</i>	<i>Table 3</i>	<i>Medical supplies Table H.3 Scale F.</i>
<i>3</i>		

In lieu of the NSCV C 7A item listed above it is proposed to carry (equivalent solution)		
Item no		
<i>1</i>	<i>The ship:</i> <i>carries a rescue boat ; and</i> <i>is fitted with internal buoyancy.</i>	
<i>2</i>	<i>NSCV C 7A Table 3 Medical supplies Table H.3 Scale G</i>	
<i>3</i>		

List any conditions you propose be placed on your operation while operating with the equipment proposed as an equivalent solution		
Item no		
	<i>Voyages are between Port Sweetwater and Saltwater Island, 30 n mile and Less than 2 hours duration.</i>	

Provide information to illustrate whether the proposed equivalent solution: (address one or both of the following)	
is at least equivalent to the deemed-to-satisfy solution	
<i>The ship is 15.5 m.</i> <i>At 14.9 m a liferaft is not required if the ship is fitted with internal buoyancy.</i> <i>A rescue boat is carried.</i> <i>This is adequate considering the time and distances of voyages and means the deemed-to-satisfy solution will be substantially complied with.</i> <i>Time and distance of voyages means that medical help is close at hand.</i>	
complies with the required outcomes of the standard	
<i>NSCV C 7A - 3.3 Performance:</i> <i>internal buoyancy and rescue boat is appropriate to control acceptable levels of risk taking into account the area of operation and the number of persons carried;</i> <i>similarly, sufficient and appropriate medical supplies are available with a scale G First aid kit when the distance and time of voyage is considered</i>	

Also attach copies of	
<input type="checkbox"/>	safety management system used in your operation
<input type="checkbox"/>	a risk assessment related to your proposal
<input type="checkbox"/>	other documents in support of your proposal

Note: if no information is provided for a particular section then mark the application "not applicable".

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Guidelines for processing applications for National Standards for Commercial Vessels Safety Equipment equivalent solutions

1. Equivalent solution applications submitted to the regional harbour master at the regional offices of Maritime Safety Queensland, in the region where operations under the equivalent solution will take place.

2. Applications initially received by a regional office should be acknowledged, assessed by the regional office and forwarded to the Director of Safety Standards, along with a recommendation related to the application, for further assessment.

3. The Safety Standards Branch will assess the application, make determination/recommendations and;

- refer the outcome back to the region of origin/applicant
- if approved, refer details to Manager (Business Process Support) for noting on the Registration Certificate.

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