

Watch this space: Change is on the horizon

A few simple changes have been made to the marine safety laws. These changes preserve or relax existing regulatory requirements. The changes were required due to recently introduced Commonwealth legislation that triggered changes to Queensland's legislation.

Remember, you're the skipper, you're responsible for checking you know and follow all marine safety laws when heading out on to the water.

What laws may change?

As a consequence of the Commonwealth's *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (National law), changes have been made to these laws:

- *Transport Operations (Marine Safety) Act 1994* (TOMSA)
- *Transport Operations (Marine Safety) Regulation 2004* (TOMSR)
- Related Standards – such as the Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 2006 (Miscellaneous Equipment Standard). This has been amended to apply to Queensland regulated ships. Some other Standards have been removed as they only relate to commercial and fishing ships which are covered by the National law.

For updates on changes to marine safety laws visit www.msq.qld.gov.au or email: marinesafetylaws@msq.qld.gov.au

New terms

From September 1 2016, new terms have been introduced to describe the way ships are regulated in Queensland.

- **National law** (Commonwealth's *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*) regulates domestic commercial vessels, which are vessels used in connection with a commercial, governmental or research activity.
- **Queensland regulated ship** is a new term that covers all ships regulated under Queensland's marine safety legislation and includes a 'recreational ship' and an 'other Queensland regulated ship'.
- An '**Other Queensland regulated ship**' is a commercial ship that is not covered under the National Law. The most common examples of these ships are surf lifesaving, school and community group vessels. Also, within this category, ships that are:
 - 6 metres or more in length; or
 - designed to carry more than 12 persons on the ship; or
 - operating more than 15 nautical miles from land, are identified as a 'prescribed other Queensland regulated ship', and may have some additional requirements and/or conditions for registration.

Examples of 'prescribed other Queensland regulated ships' are:

- A school ship engaged in marine studies carrying more than 12 persons (e.g. 17 students)
- A community group ship that is 6metres or more (e.g. 6.5metres) and operates beyond 15 nautical miles from land (e.g. Up to 50 nautical miles). For example, a community organisation taking a group off-shore fishing
- A surf lifesaving ship that is 6metres or more (e.g. 6.1metres).

**Disclaimer – this document is a guide on proposed changes only. Please refer to the appropriate legislation from 1 September 2016.*

