



WAFIC Safety Update – August 2023

(WAFIC Website: <https://www.wafic.org.au/what-we-do/access-sustainability/safety-and-training-information-02/>)

Stay Afloat – Launch of Seafood Industry Mental Health Support Initiative

Stay Afloat Australia is the national mental health pilot program designed to support the mental wellness and education of members of the Australian Seafood industry - and their families. *Stay Afloat* is educating healthcare workers about the Australian seafood industry, its operations and stressors helping them understand the history of commercial fishing in a region by providing them with resources to learn a little more about the local industry and what the life of a fisher is like.

The program is run by Seafood Industry Australia and is preparing for the formal launch of the National 'roll out' of the Stay Afloat program at Parliament House in Canberra as part of the *Friends of Seafood Event* to be held on 5th September 2023.

The key elements of the program are:

- Trusted advocates established in each of the '*focus communities*'
- Education and training – in the focus communities set up through industry associations and online programs
- Community resilience activities – funded by the Stay Afloat community resilience fund.

Stay Afloat Australia has recently appointed their WA Co-ordinators

- Steve McMahon
- Mel Edwards

Steve and Mel are both qualified mental health first-aid instructors and have a range of other credentials and abilities to support the Stay Afloat Program across Western Australia.

They plan to be visiting all regions of WA over the next 12 months with the goal of establishing at least six (6) '*focus communities*', growing to 10-12 focus communities over the course of the two (2) year roll out. Mel and Steve will be engaging with WAFIC and our members to get input into the best way to meet and communicate with industry and other stakeholders.

Steve and Mel will also be engaging with a range of local providers such as *Regional Men's Health, the Financial Counsellors' network, the Primary Health Network and StandBy postvention*.

Steve's passion for being around people has led him to work in a wide range of environments, from offshore vessels, to remote outback stations, and into corporate offices. Steve is the kind of person who finds joy in striking up a conversation with anyone willing to share a tale. In his spare time, you'll find Steve with his family exploring coastal locations.

Mel is a social worker by trade, a path that stemmed from a passion to make positive change and work with people within her community. Mel has worked in many diverse roles with both adults and young people, but it was her 6 years spent working in isolated environments offshore on various vessels and facilities that shone a light on mental health and redirected Mel's professional journey. When she isn't working, Mel enjoys spending time with family and friends, being outdoors, and trying to fit in some exercise, but as a parent of young boys, that is most achieved through a kick of the footy!

Email: wa@stayafloat.com.au For more information go to www.stayafloat.com.au

AMSA Announces Compliance Focus for 2023/24

AMSA has released its National Compliance Plan for 2023-24, detailing the focus of its compliance activities for domestic commercial vessels including fishing.

AMSA uses a data-driven risk-based approach to focus of its compliance activities aimed at improving safety outcomes for the people who work in maritime industries across Australia.

Key focus areas will be - safe navigation, electrical safety, incident reporting culture and fire safety. See <https://www.amsa.gov.au/national-compliance-plan-2023-24/focus-areas/focus-area-3-domestic-commercial-vessels>

New requirements around operational safety, specifically on safety risk assessments, crewing and safety management systems, which come into force from 1 August 2023, have also made the priority list. AMSA inspectors will be working on an education program on these issues for the first 12 months.

A survey of domestic commercial vessel operators in 2022 highlighted the need for improved understanding of marine pollution requirements, introducing MARPOL Annex V (Prevention of Pollution by Garbage from Ships) as a focus area for 2023-24 as well.

Other key focus areas include planned maintenance where in the last 12 months, propulsion machinery and vessel equipment failures have increased by 34%.

AMSA is committed to a data-driven, pragmatic and risk-based approach to compliance that allows for continual improvement and collaboration with maritime communities to achieve a shared mission of safe, clean seas and saving lives.

AMSA National Compliance Plan is available at: <https://www.amsa.gov.au/ncp23-24>

Does My Deck Crew Need a General Purpose Hand Certificate?

This question has been asked a lot recently. The answer is – it depends.

You need to ask yourself a couple of questions.

1. Does your crew carrying out deck duties relating to navigation, mooring, anchoring, cargo, or propulsion?
2. When undertaking these deck duties is your crew under direct supervision – that is, they are frequently within sight and hearing of your vessel skipper, engineer or mate?

If you answer yes to both questions – then in most cases they will not need to have a GPH certificate.

If your crew work under general supervision – that is, they are not frequently within sight or hearing of the vessel skipper, engineer or mate – then they should hold a GPH certificate.

Transitional Arrangements to GPH Ticket

Between now and 31 December 2023, AMSA has in place special ‘*transitional arrangements*’ which provide two alternative options for crew to demonstrate evidence of training/experience so they can qualify and apply for a General Purpose Hand certificate.

Option 1 – If they have completed either Elements of Shipboard Safety (ESS) or a Certificate of Safety Training (CoST) course:

- At least 30 days of sea service, performing GPH duties onboard a Domestic Commercial Vessel, recorded on an AMSA 771 record of sea service form.

Option 2 – If they have not completed any formal seafarer training (ESS, CoST or a GPH course):

- At least 180 days of sea service, performing GPH duties onboard a Domestic Commercial Vessel, recorded on an AMSA 771 record of sea service form, and
- A letter from your vessel's owner or master stating that you are competent at the duties identified within the vessel's safety management system ([Marine Order 505](#) Schedule 1 s6 (12-15))

Note: If they are not able to complete a 771 form, a signed letter from the employer containing the same information required on a 771 form will also be accepted.

The crew will also need to meet medical fitness and first aid pre-requisites.

For all the information go to: https://www.amsa.gov.au/changes-domestic-certificates-competency-1-january-2023-new-marine-order-505/transitional?utm_source=amsa-update&utm_medium=email&utm_campaign=MO505#msdynttrid=avH5zGv4xWTxle71azkO4PDJoCMxiw9fvcV09YldrDc

Important disclaimer - this article is summary information only. All information about seafarer certificates comes under Marine Order 505 (Certificates of competency — national law) 2022. This document has full details of the eligibility and other requirements for certificate applications.

TGA Decisions on Lead Content of Anti-fouling Paints

In September 2021 the Therapeutic Goods Administration (TGA) made a decision to limit the lead content in most paints to 90ppm (mg/kg).

Anti-fouling paint and anti-corrosive paints were exempted from this decision to ensure that industry had sufficient time to develop innovative and safe alternatives to the anti-fouling paints that were currently available.

The 2021 Decision recognised that reduction of the limit for lead in anti-fouling paints may be problematic on the basis that the manufacture process uses recycled copper, which typically contains traces of lead as an impurity from its use in solder.

The TGA reviewed the 'exemption' in early 2023 to consider a staged reduction to 600ppm as an interim step, then eventually down to 90ppm.

The TGA has made an interim decision on 'lead content' in antifouling paint. The limit for lead will remain at 1,000 ppm.

The TGA decided that extending the transition period is not likely to unduly increase the risk to Australian public health. Data indicates that 85% of boats in Australia are under 6m long, and 62% are constructed from aluminium. The TGA considered the risk of exposure to lead from maintenance activities on watercraft to be low as small watercraft are predominantly coated with preferred anti-fouling paints based on *cuprous thiocyanate* which contains a lower proportion of copper (and therefore likely to contain a lower level of lead contamination) than other forms of copper-based anti-fouling paints.

For larger watercraft, more likely to be coated with anti-fouling paints containing higher levels of lead (cuprous oxide), maintenance activities will be carried out by shipyard workers with enforcement of appropriate PPE measures.

The TGA has indicated that it will review the situation at 3-year intervals (in 2026 and 2029).

The 2026 amendment would seek to reduce the limit to 600 ppm. And in 2029, they will review whether 90 ppm is feasible.

The TGA has agreed to reduce lead in **anti-corrosive** paints to 90ppm as these are typically based on zinc and are unlikely to contain significant levels of lead as an impurity.

Full decision go to: <https://www.tga.gov.au/sites/default/files/2023-08/notice-interim-decisions-acms-accs-joint-acms-accs-lead-paint.pdf>

Transitional Arrangements – AMSA Exemption 38 to Coxswain Grade 3 Ticket

Have you been working under an *Exemption 38 (Low complexity duties)* on a domestic commercial vessel?

On 1 January 2023 this exemption was replaced by a new entry-level certificate of competency called a *Coxswain Grade 3* which allows people who meet the pre-requisites to operate vessels <12m in smooth waters or close to shore.

Transitional arrangements are in place which make it easier for existing workers to comply with these pre-requisites, and in particular the new Certificate of Medical Fitness – Domestic Seafarers requirement, but these end on 31 December 2023.

If you meet the pre-requisites, you can work as a Coxswain Grade 3. It's as simple as that.

Applying to AMSA to be issued with a Coxswain Grade 3 certificate is optional but may assist you in demonstrating your credentials.

What are the pre-requisites?

- Be at least 16 years old;
- Be able to speak and understand English, including written documents;
- Be medically fit for the duties, including eyesight;
- Gain any needed sea service;
- Complete any required on-water practical tasks;
- Hold a recreational boat license, issued by a State or Territory, or complete a training option listed under 'new certificate'.

If you're an existing worker, you need to satisfy the pre-requisites for a Coxswain Grade 3 if you wish to continue working in your current role.

Check to make sure you meet these pre-requisites. Don't wait until the deadline has elapsed.

Worksafe (WA) Guidance for Storing Diesel in Polyethylene Tanks

Combustible liquids like diesel are not defined as '*Dangerous Goods*' during transport, however, they are deemed to be '*Dangerous Goods*' while they are being stored and handled.

This means owners and workers must apply the *Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007* and the Australian Standard 1940 '*The storage and handling of flammable and combustible liquids* (AS 1940).

This includes a written outline of how they must be stored and handled.

Worksafe (WA) has produced an information sheet intended to assist for owners and workers by highlighting the importance of storing diesel safely and correctly.

The guide can be found at:

https://www.commerce.wa.gov.au/sites/default/files/atoms/files/221210_br_dgsdieselstorage.pdf

Public Consultation – Worksafe Draft Code on Managing Electrical Risks.

Yes - it just keeps on coming!!

The WA Work Health and Safety Commission is seeking public comment on a new draft code of practice on managing electrical risks in the workplace.

Public comment on the draft code of practice is open from Friday, 11th August 2023 until 5.00pm on Friday, November 3, 2023.

The purpose of the code is to help a *person conducting a business or undertaking* (PCBU) to manage electrical risks in the workplace and it applies to all workplaces where a PCBU has management or control of electrical equipment, including electrical installations.

A workplace includes a fishing vessel or aquaculture site.

The draft code provides guidance on the risk management process, specific electrical hazards and controls, working de-energised, working near energised electrical parts, working in roof spaces, tools and equipment, high voltage electrical work and electricity in mines.

While the code will provide general guidance to help a PCBU meet their obligations under the WHS Act, electrical work is covered under the *Electricity (Licensing) Regulations 1991* (ELR) and regulated by Building and Energy (Government department).

https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_1355_homepage.html

A PCBU or a worker conducting electrical work must comply with the requirements of the *Electricity (Licensing) Regulations 1991* (ELR) and the guidance material developed by the Department of Building and Energy.

The objective of this proposed draft code is to promote practical preventative strategies to improve the working environment of Western Australians.

The Work Health and Safety Commission is calling for public comment on the draft code of practice from today until 5.00pm WST on Friday, November 3, 2023.

The draft code of practice on managing electrical risks in the workplace is available at <https://www.dmirns.wa.gov.au/content/open-consultations>, along with a feedback template that can be used to submit comments to safetycomms@dmirns.wa.gov.au.

Reducing Maritime Emissions – What is Australia’s Decarbonisation Plan?

The Albanese Government has ambitions for Australia to be a green energy super-power to help meet our net-zero commitments across the whole economy. The Government has legislated an economy-wide net zero emissions target by 2050.

The Government has developed a *Transport and Infrastructure Net Zero Roadmap*.

Part of that ‘roadmap’ was a commitment in the May 2023 Budget to work with the maritime industry to develop a *Maritime Emissions Reduction National Action Plan (MERNAP)*. The plan will seek to identify opportunities and future-proof the maritime industry, ensuring Australia can benefit from the global zero emissions transition.

The Albanese government says the MERNAP will set the strategic direction and commitments to actions to decarbonise our maritime transport sector and contribute towards reducing international shipping emissions.

What is not clear is how is the inshore domestic maritime fleet (including fishing) is going to be consulted on this Plan development?

Over the next 12 months, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) will commence work in partnership with industry to draft a plan that is fit-for-purpose and accelerates Australia’s role in the global green economy.

The Government says that relationships that are established through this process will be key to the ongoing collaboration between government and industry, up and down the value chain in setting, and acting on, an ambitious and practical national action plan.

But already the Government has failed with **no-one from the commercial fishing fleet appointed to the MERNAP consultative committee** to make sure any requirements are able to practically applied within the inshore domestic maritime fleet. The Farmers’ Federation is there as is the Minerals Council but no fishing industry – go figure?.

Have we been ignored or is the Government going to apply a different consultation process for our industry. WAFIC and other peak seafood industry bodies are working on this.

The Department has put together a scoping paper that outlines current departmental knowledge and the proposed approach to the development of the MERNAP.

You can read the Department’s approach in the [Maritime Emissions Reduction National Action Plan Scoping Paper \(PDF 292KB\)](#)

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Access and Egress – Getting On and Off a Vessel – Safely!

Accessing a vessel while at berth is a routine activity and is sometimes taken for granted. The requirement for safe access can be overlooked, particularly where there are limited berthing options, or a vessel is only berthed for a short period. Failing to provide safe access can result in serious risk to people — even more so when bad weather or extreme tidal variation are thrown into the mix.

Under the AMSA National Law, the owner and master are responsible to ensure safety for people boarding a domestic commercial vessel. Your vessel's safety management system should address safe access for crew and others boarding your vessel.

In addition, commercial vessels come under workplace health and safety (WHS) regulations—including falls risks for getting on and off a vessel.

What to do?

- Ensure a 'safe design' gangway
- Secure platforms or gangways firmly and clear of the wharf edge or other potential hazards
- Limiting access in bad weather and, if necessary, during extreme tidal variations
- Providing adequate lighting around the gangway, especially at night to increase visibility
- Including instructions on when and how to safely board the vessel - and when not to – in your crew and passenger safety inductions and signage.
- Encourage crew to report hazards and incidents associated with getting on and off the vessel.
- Develop emergency procedures for possible incidents associated with access to the vessel and practice them.

For more information: <https://www.amsa.gov.au/vessels-operators/domestic-commercial-vessels/safe-access-to-domestic-commercial-vessels#msdyntrid=fbte9rZsY0Py0ONFOQyKUFsugi9URJV8OIxzIBJb6nM>

State Government Strategic Training Plan Released

The State government has released it's new strategic plan setting a clear vision for the future of the State training sector for the next five years.

The plan outlines strategies that will be progressed under the following five priorities.

1. Enable all Western Australians to easily choose and access training that leads to jobs and careers according to their aspirations.
2. Lift the participation of First Nations People and under-represented groups in training and employment.

3. Grow the supply of skilled workers to sustain our economy and community wellbeing.
4. Develop the skills and capabilities for a clean energy economy and new and emerging industries.
5. Partner with TAFE to support their delivery of contemporary learning experiences that meet student and employer needs.

The strategic plan was developed through extensive consultation with industry, community and government representatives. The Department commissions training services from the TAFE colleges and procures training and related services from over 200 private and not-for profit organisations.

<https://www.dtwd.wa.gov.au/sites/default/files/uploads/Uploader/dtwd-strategic-plan-202328-web.pdf>

\$2 million refurbishment of Central TAFE's Maritime Training Vessel.

The floating classroom vessel '*Master Class*' is now ready to continue its important role of providing local TAFE students in the Geraldton region with a first-class, industry-standard learning environment.

State Minister for Training, Simone McGurk welcomes the vessel's return from refit for the start of a new chapter for this valuable training asset for the local community. Local boat builder Dongara Marine completed the major overhaul of the vessel including new engines, gear boxes, hydraulic system, electrics, air-conditioning and navigational systems.

The \$2 million project was funded by the State Government capital works project to upgrade TAFE campuses across the state.

'*Master Class*' is used to deliver maritime-related training through TAFE's Batavia Coast Maritime Institute in fishing boat operations, boating services, marine engine driving, aquaculture, tourism, coastal conservation and ecosystem management.

New Safety Management System (SMS) Requirements from 1st August 2023

A workplace health and safety management system (SMS) is a set of procedures and plans that systematically manages the health and safety on your fishing vessel and is designed to assist in minimising the risk of injury and illness from your fishing (workplace) operations.

Every fishing vessel **is required by law** to have a safety management system and be able to demonstrate that the SMS is being used in practice in your everyday fishing operation.

AMSA Marine Order 504 (*Certificates of operation and operation requirements – national law*) outlines the requirements to be included in a vessel's safety management system (SMS). This must include a risk assessment process for crewing levels on a domestic commercial vessel (DCVs).

Recently, Marine Order 504 underwent a review and consultation process which aimed to better align the marine order with the recently revised Marine Order 505 (*Certificates of competency*) and to clarify and strengthen key concepts relating to operational safety onboard vessels.

From June 2023, AMSA will be reaching out to industry to help them understand and meet these new requirements before they come into force on 1 August 2023.

This assistance will take the shape of an education campaign which will point industry to an information hub on the AMSA website: www.amsa.gov.au/marine-order-504-operational-safety-changes

AMSA held face-to-face and online workshops through July. A copy of the presentation is available at: <https://www.amsa.gov.au/marine-order-504-safety-changes/register-information-session>

Please feel free to reach out to Steve Whitesmith, AMSA Liaison Manager (WA) with any questions you might have. Steve.Whitesmith@amsa.gov.au Mob: 0408 976 282

A range of guidance documents are also available (see below) which feature:

- Infographic explanations of the changes to Marine Order 504
- Checklists to help owners review their SMS, risk assessment and procedures
- An example 'risk assessment' to give some guidance on what is required.

These guidance documents can be found and down loaded from the following links:

Risk

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Example_RISK_A4_ART.pdf

Risk assessment

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Infographic_Risk_Assess_A4_ART.pdf

Lifejacket

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Checklist_LIFEJACKET_A4_ART.pdf

Designated person

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Infographic_DesignatedPerson_A4_ART.pdf

Establishing Appropriate Crew Numbers

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Infographic_FullyCrewed_A4_ART.pdf

Lifejacket infographic

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Infographic_Lifejacket_A4_ART.pdf

Emergency Procedures Training and Drills

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Infographic_TrainingDrills_A4_ART.pdf

Train Drill Log Repeat

https://www.wafic.org.au/wp-content/uploads/2023/05/AUM002_AMSA_Checklist_TRAINDRILLLOG_A4_ART.pdf

Marine Safety Incidents – July 2023

To see all incidents reports go to: https://www.amsa.gov.au/vessels-operators/incident-reporting/2023-monthly-domestic-commercial-vessel-incident-reports?msdyntrid=ynlirRSg0LWdcIA2WM20SjgwAfzj5FDA1cyi2HkT7n0#incident?utm_source=amsa-update&utm_medium=email&utm_campaign=monthly-marine-incidents

AMSA has also summarised various incidents and outlined findings and recommendations to provide other vessel owners and operators with the opportunity to learn from marine safety incidents that have taken place.

Go to: <https://www.amsa.gov.au/marine-incident-reporting/monthly-safety-lessons-domestic>

AMSA has also produced an DCV annual incident report for 2022:
<https://www.amsa.gov.au/marine-incident-annual-report-2022>

In 2022, one third of incidents were due to shortfalls in vessel control and navigation. This is consistent with the 2019-2022 data which shows that 4 of the 5 top operational issues for every vessel class involved control and navigation operational failure. This was followed by shortfalls in operational access (61) and communication (34).

Of the 347 occurrence types related to vessel control and navigation, 131 (37.8%) were associated with shortfalls in lookout/collision avoidance, 82 (23.6%) with vessel handling/loss of control and 40 (11.5%) with berthing/unberthing. Shortfalls in the control and navigation of a vessel were reported in 46.3% (285) of vessel consequence incidents, followed by 19.6 % (124) for weather/water conditions and 12.7% (74) for power, propulsion and steering failures.

Collisions, groundings and/or contacts accounted for 54.3% (75) of the total very serious and serious (138) incidents involving consequences to a vessel. This represents a 4.3% decrease from the proportion in 2021 (58.6%). Grounding incident reports increased by 52.1% from 2021 and comprised the majority of serious vessel consequences.

Lifejacket Written Procedures and Training Required from 1st August 2023

From 1 August 2023, if you own or operate a fishing vessel you will need to address lifejacket wear requirements in your safety management system's risk (SMS) and have written procedures.

Vessel owners are also required to consider the management of lifejackets to ensure that they are readily available if needed.

It does not mean lifejackets are mandatory to wear at all times – but does mean your vessel SMS must set out when lifejackets should be worn (eg wind and sea conditions).

Making sure that when to wear a lifejacket is built into your risk assessment and safety management system are new requirements which will be in force from 1 August 2023 via a new *Marine Order 504 (Certificates of operation and operation requirements)*.



The new Marine Order 504 follows extensive consultation with industry in recent years to improve operational safety and increase lifejacket wearing on domestic commercial vessels, after dozens of preventable fatalities over a 10-year period.

For full information go to: https://www.amsa.gov.au/marine-order-504-safety-changes/lifejacket-wearing?utm_source=amsa-update&utm_medium=email&utm_campaign=MO504#msdyntrid=cxo5pizPpUQLbIZV46GHRdqucd7atIMUdo40FN-0XmE

Why You Must Have Emergency Plans for Your Vessel and Practice Them!

Because it is just plain common sense And the law says you have to!

The main objectives in emergency planning are to ensure that:

- everyone knows what to do in the event of an emergency;
- preparations for potential and unexpected incidents at the workplace have taken place;
- sufficient resources are available to ensure that injured persons are provided with appropriate medical attention.

Sounds pretty straight forward but would you believe official data ***shows many workplaces have no emergency procedures in place, or if they do, do not practice them regularly.***

Under the WA work health and safety legislation and the AMSA marine safety legislation, the owner of a vessel **must ensure** that there is an emergency plan in place to protect anyone in the event of an emergency. It is encouraged that emergency plans procedures be developed in consultation the workers.

The emergency plan **must** also form part of the training and induction of all crew.

In developing a plan, consideration should be given to the range of potential emergencies that could plausibly affect the workplace. For a fishing vessel the obvious emergencies are:

- sinking,
- person overboard,
- fire,
- falls from heights,
- injury from fishing gear (cuts, crushing, entanglement) or
- injury from fish species (sea snakes, Irukandji jellyfish, sharks) and
- sickness (heart attack, stroke).

The law also says you **must run practice sessions** for all the above emergencies throughout a season **or whenever there is a change of crew aboard the vessel.**

As one crew member said *‘I need to know that my mates on the boat know how to save me! No use me being over the side in the middle of the night and then find out they did not know how to get back to get me back onboard or that they simply didn’t know how to use the fire extinguisher and I am down below in my bunk!’*

And said by an owner of a trawl vessel ‘I treat our crew as if it’s my son/daughter out there and I want to know they are as safe as possible in all situations, especially emergencies!’

For more information go to:

Worksafe: <https://www.commerce.wa.gov.au/worksafe/emergency-management>

AMSA Emergency Procedures Training and Drills

https://www.wafic.org.au/wp-content/uploads/2023/05/AMSA_MO504_Operational_Safety_Changes_EduCampaign_Infographic_TrainingDrills_A4_ART.pdf

AMSA Train Drill Log Repeat

https://www.wafic.org.au/wp-content/uploads/2023/05/AUM002_AMSA_Checklist_TRAINDRILLLOG_A4_ART.pdf

What is a Designated Person for a Fishing Vessel Operation?

AMSA Marine Order 504 requires every vessel operation to have a *‘designated person’*.

The *‘designated person’* is responsible for ensuring safe operation of the vessel and monitoring and supporting safety aspects of the vessel operations.

The designated person provides a link between those onboard the vessel and the management of the organisation.

- For a single vessel operation the owner may be the master and the designated person.
- For larger fleets the designated person is usually a onshore manager and the position may be spread across multiple persons.

The designated person’s role is to maintain oversight of how the Safety Management System (SMS) is working and ensure that it’s kept up to date. They need to be contactable by master and crew as appropriate to provide advice and assist with issues raised.

However, the designated person cannot override a safety decision taken by the master of the vessel.

Industry Briefs Minister on Proposal to Remove Vessel Grandfathering Provisions

Combined efforts from peak industry groups across the country has resulted in a letter to the Federal Minister responsible for maritime safety outlining industry's expectations in relation to the Independent Panel review of AMSA legislation and future cost recovery regime – **including why removing grandfathering provisions will be a huge impact on the fishing industry.**

The continuous delays in the release of the Independent Panel's revised Phase 1 report (which includes grandfathering recommendations) has industry members deeply concerned.

Seafood Industry Australia (SIA) wrote to Minister Catherine King on behalf of industry seeking the current status of the next iteration of consultation on the Independent Panel's promised revision of its initial draft interim report on AMSA legislation (Phase 1) following consideration of feedback received from stakeholders.

Concurrent with this, SIA sought further detail on the status of the consultation draft interim report for the potential AMSA cost recovery and charging arrangements (Phase 2).

The last formal engagement with industry by the Independent Panel was a series of face-to-face meetings around the country in March 2023.

SIA highlighted that the process timeline was now well outstanding and from recent interactions with AMSA, industry was of the understanding that a revised version of the Phase 1 draft interim report is currently with the Government for consideration, despite a commitment from the Independent Panel to release the revised report to industry for consideration *prior to submission to Government*.

The industry letter emphasised that the content covered in the review is of great interest to the industry and to ensure that the Minister was personally aware that the initial draft interim report contained items (eg removal of vessel 'grandfathering' provisions) that were of major concern to the industry and regional, rural and remote communities in which they operate. The letter went on to highlight these recommendations have implications and ramifications both economically and on the mental health of industry with the potential outcomes of the report having very real impacts on the livelihoods of many people.

SIA made clear that industry has not received a clear update on the content of the re-drafted report, the cause of the delays of its release, a timeframe for responsible consultation, or a clear understanding of where the revised draft interim report is currently.

The letter focussed particularly on the potential phasing out of the 'grandfathering provision' that has caused the greatest concern and reaction from the broader seafood sector.

SIA reminded the Minister that it was the Coalition of Australian Governments (COAG) led by then Transport Minister Anthony Albanese that, in 2013, first committed to introducing the 'grandfathering provisions' to recognise that many in the Australian commercial vessel fleet (including fishing vessels) were operating quite safely under their existing vessel standards, applying existing management systems and within their existing area of operation and thus should not be forced into major cost imposts to meet the various new vessel standards across jurisdictions for no measurable change in safety benefit.

At the time, governments deemed these arrangements to continue unless incident evidence and data dictated the need to adopt an alternative approach.

The industry letter to the Minister pointed out that the inference in the Independent Panel's initial draft report that 'grandfathered vessels' pose an added safety risk when working under their existing survey standards and within existing operational areas, lacked any evidence or data to validate these claims. The letter sets out that if evidence cannot be provided on why there should be a phasing out of 'grandfathering' arrangements or to show how to minimise the impact of any proposed changes, then the seafood industry cannot support any recommendation for removal of 'grandfathering' provisions.

The letter went on to highlight that changes to the 'grandfathering' provision will also have an impact on master and engineer qualification recognition and as with other agricultural sectors, the fishing industry is already facing significant workforce attraction and retention pressures. Industry has significant concerns that the removal of existing qualification recognition (without adequate evidence) and application of a new set of standards has the potential to cripple the industry overnight.

Note: You can send your views to Minister Catherine King, Minister for Infrastructure, Transport & Regional Development of Australia Email: minister.king@mo.infrastructure.gov.au

Worksafe WA Makes Access Easier to Publications and Resources

You spoke, Worksafe listened!

Finding a health and safety publication on the WorkSafe WA site has now been made a lot easier.

All materials and notifications have been collated and are now located under the *Publications, resources and events* title at: <https://www.commerce.wa.gov.au/worksafe/publications-resources-and-events>

Incidents must be notified to Worksafe

Businesses must notify Worksafe of certain incidents that arise at a workplace.

A fishing vessel is defined as a workplace.

WorkSafe has released a series of publications to assist workplaces decide when and how to notify a work-related death, injury, illness or dangerous incident.

The guidelines provide an overview on mandatory reporting requirements for incidents that must be notified to the regulator under Work Health and Safety (WHS) legislation.

Following a death, serious injury, illness, or life-threatening dangerous incident you should preserve the site and immediately call **1800 678 198**

For more information go to: https://www.wa.gov.au/system/files/2023-02/231149_GL_IncidentNotification.pdf

To download an incident reporting poster for your vessel wheelhouse or onshore office please go to: https://www.wafic.org.au/wp-content/uploads/2023/04/231198_po_incident_reporting.pdf
