

Queensland



Subordinate Legislation 1998 No. 19

Transport Operations (Marine Safety) Act 1994

**TRANSPORT OPERATIONS (MARINE
SAFETY—CREWING FOR COMMERCIAL
AND FISHING SHIPS) INTERIM STANDARD
1998**

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PART 1—PRELIMINARY

Short title

1. This standard may be cited as the *Transport Operations (Marine Safety—Crewing for Commercial and Fishing Ships) Interim Standard 1998*.

Commencement

2. This standard commences on 1 March 1998.

Definitions

3. In this standard—

“**Code**” see schedule 11 of the regulation.¹

“**commercial ship**” see schedule 11 of the regulation.

“**crew**”, of a commercial or fishing ship, includes—

- (a) the crew members; and
- (b) ancillary personnel, for example, catering staff, bar attendants, diving instructors.

“**crew member**”—

- (a) of a commercial ship—see section 58(1)² of the regulation;
- (b) of a fishing ship—see section 60(1)³ of the regulation.

“**elements of shipboard safety**”—

- (a) for a commercial ship—see section 2, schedule 3 of the Code; or
- (b) for a fishing ship—see section 3, schedule 3 of the Code.

¹ The Code is the Uniform Shipping Laws Code adopted by the Commonwealth, State and Territory Ministers.

² Section 58 (Licence required to operate etc. commercial ship) of the regulation

³ Section 60 (Licence required to operate etc. fishing ship) of the regulation

“engineer”—

- (a) for a commercial ship—see section 2, part 4, clause 34 of the Code;
- (b) for a fishing ship—see section 3, part 4, clause 21 of the Code.

“fishing ship” see schedule 11 of the regulation.

“inshore operations” see section 1, part 3, clause 5 of the Code.

“mate”—

- (a) for a commercial ship—see section 2, part 4, clause 34 of the Code;
- (b) for a fishing ship—see section 3, part 4, clause 21 of the Code.

“metres” or **“m”**, in relation to a ship, see schedule 11 of the regulation.

“nominated safety hand” see section 9(2).

“offshore operations” see section 1, part 3, clause 5 of the Code.

“partially smooth waters” see schedule 11 of the regulation.

“regulation” means the *Transport Operations (Marine Safety) Regulation 1995*.

“smooth waters” see schedule 11 of the regulation.

Who standard applies to

4. This standard applies to the owner and master of a commercial or fishing ship.

Purpose of standard

5. The purpose of this standard is to provide a guide on the appropriate crewing of a commercial or fishing ship to enable the ship to meet the ordinary perils of the voyage on which the ship is proceeding, or about to proceed, to satisfy the general safety obligation under part 4⁴ of the Act.

⁴ Part 4 (General safety obligations and standards) of the Act

PART 2—COMMERCIAL SHIPS

Minimum crew (other than engineers)

6.(1) A commercial ship with a length stated in schedule 1, column 1 and operating in an area stated in column 2 should be operated by the master and the minimum crew (other than engineers) stated in column 3.

(2) As well as the crew mentioned in schedule 1, column 3, a class 1 passenger ship should have the number of extra personnel for each 50 passengers, or part of 50 passengers, stated in schedule 1, column 4 who are suitably trained in evacuation and emergency procedures.

(3) However if, after having divided the total number of passengers by 50, there are 5 or fewer passengers remaining, no extra personnel are required for those remaining passengers.

Example—

A ship is carrying 105 passengers. Two extra personnel are required.

A ship is carrying 106 passengers. Three extra personnel are required.

(4) A class 1 passenger ship may have fewer extra personnel than is required by subsection (2) if—

- (a) the ship has—
 - (i) a documented safety management system based on the objectives of the International Safety Management Code published by the International Maritime Organization or another similar code; and
 - (ii) a documented safety risk management assessment of the emergency evacuation of the ship; and
- (b) the assessment provides for the ship to have a fewer number of extra personnel than is required under subsection (2); and
- (c) the ship is operating with the number of extra personnel (if any) specified in the assessment.

Minimum crew (engineers)

7.(1) A commercial ship with a propulsion power stated in schedule 2, column 1 and operating in an area stated in column 2 should be operated with the minimum engineering crew stated in column 3.

(2) A commercial ship with a propulsion power stated in schedule 3, column 1 operating in an area stated in column 2, need not have the engineering crew required under subsection (1) if the master or a crew member of the ship has a marine engine drivers licence of at least the grade stated in column 3.

(3) The master may act as chief engineer on a commercial ship on which the master is required to hold a coxswain's licence.

(4) A marine engine driver's licence is not required on a commercial ship powered by multiple outboard engines if—

- (a) the propulsion power of the ship's largest engine is less than 250 kW; and
- (b) the ship does not have installed—
 - (i) auxiliary power units for low and medium electrical voltage; and
 - (ii) a substantial pumping system for bilge, water or fuel transfer.

Operation with 1 engineer only

8. Despite section 7(1), a commercial ship that is operated on offshore operations may be operated with 1 engineer if—

- (a) the ship is designed to operate with an unattended machinery space; and
- (b) the ship's propulsion machinery may be operated from the bridge or wheelhouse; and
- (c) the ship's voyage—
 - (i) is to be less than 15 hours; and

- (ii) starts and ends at a place where maintenance and service facilities are available; and
- (d) after considering the operational requirements and the fatigue factor of the crew, the owner and master of the ship reasonably believe marine safety will not be endangered by operating the ship with 1 engineer.

Operation without an engineer

9.(1) This section applies to a class 1 commercial ship that—

- (a) is less than 35 m; and
- (b) was registered under the repealed Queensland Marine Act 1958 immediately before its repeal; and
- (c) was operated without an engineer before the repeal.

(2) Despite section 7, the ship may continue to be operated without an engineer or other person holding a marine engine drivers licence if—

- (a) the ship is designed to operate with an unattended machinery space; and
- (b) the ship's propulsion machinery may be operated from the bridge or wheelhouse; and
- (c) the ship is on a voyage that—
 - (ii) is to be less than 15 hours; and
 - (ii) starts and ends at a place where maintenance and service facilities are available; and
- (d) a nominated safety hand is on board the ship; and
- (e) after considering the operational requirements and the fatigue factor of the crew, the owner and master of the ship reasonably believe marine safety will not be endangered by operating the ship without an engineer or other person holding a marine engine drivers licence.

(3) In this section—

“nominated safety hand” means a person who has—

- (a) successfully completed an elements of shipboard safety course; and
- (b) demonstrated, to the reasonable satisfaction of the owner or master of the ship, the person's—
 - (i) knowledge and proficiency in the operation of the ship's fire fighting appliances, machinery and pumping systems; and
 - (ii) ability to satisfactorily complete the operating records required by section 107⁵ of the regulation, for the things mentioned in subparagraph (i).

Training for crew

10.(1) Every person in the crew of a commercial ship should complete the elements of a shipboard safety course.

(2) In addition, at least 30% of the crew should hold a current certificate in first aid.

PART 3—FISHING SHIPS

Minimum crew

11.(1) A fishing ship stated in section 3, clause 24⁶ of the Code should be operated by the master and the minimum crew stated in the clause.

(2) Despite subsection (1), a fishing ship with a length stated in schedule 4, column 1 and operating in an area stated in column 2 should be operated by the master and the minimum crew stated in column 3.

⁵ Section 107 (Owner and master of ship to ensure records etc. are kept) of the regulation

⁶ Section 3 (Qualifications and Manning, Fishing Vessels), clause 24 (Particular Provisions—Fishing Vessels—Minimum Safety Manning) of the Code

(3) Despite subsection (1), if a fishing ship with a propulsion power stated in schedule 5, column 1 and operating in an area stated in column 2 does not have a chief engineer as a crew member, the master or another crew member of the ship should also have a marine engine drivers licence of at least the grade stated in column 3.

(4) The master may act as chief engineer on a fishing ship on which the master is required to hold a coxswain's licence.

PART 4—EXPIRY

Expiry

12. This standard expires 6 months after its commencement.

SCHEDULE 1

MINIMUM CREW (OTHER THAN ENGINEERS) FOR COMMERCIAL SHIPS

section 6

Column 1 Ship size	Column 2 Operational area	Column 3		Column 4 Extra personnel (class 1 ships)	
		Master	Mate	Other personnel	
80 m or more	Offshore operations (ships 120 m or more)	1	1	3	1
	Offshore operations (ships less than 120 m)	1	1	2	1
	Restricted offshore and inshore operations, partially smooth waters and smooth waters	1	1	2	—
35 m or more, but less than 80 m	Offshore operations, restricted offshore and inshore operations	1	1	2	1
	Partially smooth waters and smooth waters	1	1	1	—
24 m or more, but less than 35 m	Offshore operations, restricted offshore and inshore operations, partially smooth waters and smooth waters	1	1	—	1

SCHEDULE 1 (continued)

12 m or more, but less than 24 m	Offshore operations, restricted offshore and inshore operations	1	—	1	1
	Partially smooth waters	1	—	1	—
	Smooth waters	1	—	—	—
Less than 12 m	Offshore operations	1	—	1	1
	Inshore operations	1	—	—	1
	Partially smooth waters and smooth waters	1	—	—	—

SCHEDULE 2

MINIMUM CREW (ENGINEERS) FOR COMMERCIAL SHIPS WITH PROPULSION POWER OF 500 kW OR MORE

section 7(1)

Column 1 Ship propulsion power	Column 2 Operational area	Column 3	
		Chief engineer	Second engineer
1 500 kW or more	Offshore operations	1	1
	Inshore operations, partially smooth waters and smooth waters	1	—
750 kW or more, but less than 1 500 kW	Offshore operations	1	1
	Inshore operations, partially smooth waters and smooth waters	1	—
500 kW or more, but less than 750 kW	Offshore operations	1	—
	Inshore operations, partially smooth waters and smooth waters	1	—

SCHEDULE 3

MARINE ENGINE DRIVER QUALIFICATIONS FOR CREW OF COMMERCIAL SHIPS WITH PROPULSION POWER LESS THAN 750 kW

section 7(2)

Column 1 Ship propulsion power	Column 2 Operational area	Column 3 Marine engine drivers licence
500 kW or more, but less than 750 kW	Offshore operations Partially smooth waters and smooth waters	grade 1 grade 2
250 kW or more, but less than 500 kW	Offshore operations Inshore operations, partially smooth waters and smooth waters	grade 2 grade 3
75 kW or more, but less than 250 kW	Offshore operations, inshore operations, partially smooth waters and smooth waters	grade 3 or co x s w a i n (see s 7(3))

SCHEDULE 4

MINIMUM CREW FOR FISHING SHIPS

section 11(2)

Column 1 Ship size	Column 2 Operational area	Column 3	
		Master	Other personnel
20 m or more, but less than 25 m	Offshore operations, inshore operations and partially smooth waters	1	2
15 m or more, but less than 20 m	Offshore operations, inshore operations and partially smooth waters	1	1
10 m or more, but less than 15 m	Offshore operations, inshore operations and partially smooth waters	1	1
Less than 10 m	Offshore operations, inshore operations and partially smooth waters	1	—

SCHEDULE 5

MARINE ENGINE DRIVER QUALIFICATIONS FOR CREW OF FISHING SHIPS WITH PROPULSION POWER LESS THAN 750 kW

section 11(3)

Column 1 Ship propulsion power	Column 2 Operational area	Column 3 Marine engine drivers licence
500 kW or more, but less than 750 kW	Offshore operations Inshore operations, partially smooth waters and smooth waters	grade 1 grade 2
300 kW or more, but less than 500 kW	Offshore operations Inshore operations, partially smooth waters and smooth waters	grade 2 grade 3
Less than 300 kW	Offshore operations, inshore operations, partially smooth waters and smooth waters	grade 3

ENDNOTES

1. Made by the chief executive on 29 January 1998.
2. Approved by the Governor in Council on 26 February 1998.
3. Notified in the gazette on 27 February 1998.
4. Laid before the Legislative Assembly on . . .
5. The administering agency is the Department of Transport.