



Queensland

Transport Operations (Marine Safety—Accreditation as Ship Designer, Ship Builder or Marine Surveyor) Standard 2006

Subordinate Legislation 2006 No. 18

made under the

Transport Operations (Marine Safety) Act 1994

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Part 1 Preliminary

1 Short title

This standard may be cited as the *Transport Operations (Marine Safety—Accreditation as Ship Designer, Ship Builder or Marine Surveyor) Standard 2006*.

2 Commencement

This standard commences on 1 March 2006.

3 Dictionary

The dictionary in the schedule defines words used in this standard.

4 Purpose of standard

The purpose of this standard is to state how a person satisfies the general manager that the person qualifies for accreditation as a ship designer, ship builder or marine surveyor under section 44(2)¹ of the regulation.

Part 2 Accreditation as individual

5 Application of pt 2

This part applies to an individual applying for accreditation as a ship designer, ship builder or marine surveyor under part 6, division 2² of the regulation.

1 Section 44 (Accreditation as a ship designer, ship builder or marine surveyor) of the regulation

2 Part 6 (Authorities), division 2 (How authority is obtained) of the regulation

6 General requirements for accreditation

An individual must satisfy the general manager that the individual—

- (a) has knowledge and understanding of the obligations imposed on an individual accredited under the Act; and
- (b) has knowledge of the requirements of this and other standards relevant to ship designing, ship building or marine surveying; and
- (c) has experience relevant to the individual's accreditation; and
- (d) is not an insolvent under administration;³ and
- (e) otherwise meets the requirements under this part for the accreditation the individual seeks to obtain.

7 Specific requirements for ship designers

- (1) An individual applying for accreditation as a ship designer must have at least 5 years experience and—
 - (a) at least 1 of the following qualifications—
 - (i) a degree in naval architecture;
 - (ii) a degree in engineering with a major in naval architecture;
 - (iii) a diploma or associate diploma in naval architecture; or
 - (b) further experience the general manager is satisfied is at least equivalent to a qualification required under paragraph (a); or
 - (c) other qualifications the general manager is satisfied are—

³ Section 71 (Definitions for div 6) of the regulation. See also sections 154 (Refusal of application for authority) and 157 (Div 2 applies to application for renewal) of the regulation.

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- (i) appropriate for the category of accreditation as a ship designer⁴ the individual is applying for; and
 - (ii) at a level at least equivalent to a qualification required under paragraph (a).
- (2) An individual applying for accreditation as a ship designer for part of a ship—
 - (a) must have—
 - (i) at least 1 of the following qualifications—
 - (A) a trade qualification as an electrician;
 - (B) a trade qualification as a marine fitter; or
 - (ii) other qualifications the general manager is satisfied are—
 - (A) appropriate for the category of accreditation as a ship designer for the part of the ship the individual is applying for; and
 - (B) at a level at least equivalent to a qualification required under paragraph (a)(i); and
 - (b) must have at least 2 years post qualification experience.
- (3) In this section—

experience, for a ship designer, means experience that demonstrates—

 - (a) competence in designing ships, or parts of ships, of the category for which the accreditation is sought; or
 - (b) competence in both of the following—
 - (i) designing ships, or parts of ships, of the category for which the accreditation is sought;
 - (ii) supervising the building of ships, or parts of ships, of the category for which the accreditation is sought.

⁴ See section 45 (Categories of accreditation for ship designer) of the regulation.

8 Specific requirements for ship builders

- (1) An individual applying for accreditation as a ship builder must have at least 5 years experience and—
 - (a) at least 1 of the following qualifications—
 - (i) a certificate in ship building;
 - (ii) a trade qualification as a shipwright;
 - (iii) a trade qualification as a boat builder; or
 - (b) other qualifications the general manager is satisfied are—
 - (i) appropriate for the category of accreditation as a ship builder⁵ the individual is applying for; and
 - (ii) at a level at least equivalent to a qualification required under paragraph (a).
- (2) An individual applying for accreditation as a ship builder for part of a ship—
 - (a) must have—
 - (i) at least 1 of the following qualifications—
 - (A) a trade qualification as an electrician;
 - (B) a trade qualification as a marine fitter; or
 - (ii) other qualifications the general manager is satisfied are—
 - (A) appropriate for the category of accreditation as a ship builder for the part of the ship the individual is applying for; and
 - (B) at a level at least equivalent to a qualification required under paragraph (a)(i); and
 - (b) must have at least 2 years post qualification experience.
- (3) In this section—

⁵ See section 46 (Categories of accreditation for ship builder) of the regulation.

experience, for a ship builder, means experience that demonstrates competence in building ships, or parts of ships, of the category for which the accreditation is sought.

9 Specific requirements for marine surveyors

- (1) An individual applying for accreditation as a marine surveyor must have at least 5 years experience and—
 - (a) at least 1 of the following qualifications—
 - (i) a degree in naval architecture;
 - (ii) a degree in marine engineering;
 - (iii) a diploma or associate diploma in naval architecture or ship building;
 - (iv) a certificate issued under the Marine Orders, part 3⁶ as a Master, Master (<3000gt) or engineer class 1 or 2;
 - (v) a trade qualification as a shipwright;
 - (vi) a trade qualification as a boat builder; or
 - (b) other qualifications the general manager is satisfied are—
 - (i) appropriate for the category of accreditation as a marine surveyor⁷ the individual is applying for; and
 - (ii) at a level at least equivalent to a qualification required under paragraph (a).
- (2) An individual applying for accreditation as a marine surveyor for part of a ship—
 - (a) must have—
 - (i) at least 1 of the following qualifications—
 - (A) a trade qualification as an electrician;

6 Marine Orders, part 3 (Seagoing qualifications)

7 See section 47 (Categories of accreditation for marine surveyor) of the regulation.

- (B) a trade qualification as a marine fitter; or
- (ii) other qualifications the general manager is satisfied are—
 - (A) appropriate for the category of accreditation as a marine surveyor⁸ for the part of the ship the individual is applying for; and
 - (B) at a level at least equivalent to a qualification required under paragraph (a)(i); and
- (b) must have at least 2 years post qualification experience.
- (3) In this section—

experience, for a marine surveyor, means experience that demonstrates competence in surveying ships, or parts of ships, of the category for which the accreditation is sought.

Marine Orders see schedule 15 of the regulation.

Part 3 Accreditation as corporation

10 Application of pt 3

This part applies to a corporation applying for accreditation as a ship designer, ship builder or marine surveyor under part 6, division 2⁹ of the regulation.

11 Requirements for accreditation as ship designers, ship builders or marine surveyors

- (1) A corporation must—
 - (a) nominate an individual who, if the corporation is accredited, will become the corporation’s nominee; and

⁸ See section 47 (Categories of accreditation for marine surveyor) of the regulation.

⁹ Part 6 (Authorities), division 2 (How authority is obtained) of the regulation

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- (b) satisfy the general manager that the corporation—
 - (i) has knowledge and understanding of the obligations imposed on a corporation accredited under the Act; and
 - (ii) has knowledge of the requirements of this and other standards relevant to ship designing, ship building or marine surveying; and
 - (iii) has demonstrated competence in carrying out the obligations on corporations accredited under the Act; and
 - (iv) is not an externally-administered body corporate.
- (2) In this section—

corporation's nominee means an individual who—

- (a) is engaged by the corporation; and
- (b) has the supervision and management of designing, building or surveying ships, or parts of ships, for the corporation; and
- (c) has the same accreditation as the corporation.

externally-administered body corporate has the meaning given by the Corporations Act, section 9.¹⁰

¹⁰ Corporations Act, section 9—

externally-administered body corporate means a body corporate—

- (a) that is being wound up; or
- (b) in respect of property of which a receiver, or a receiver and manager, has been appointed (whether or not by a court) and is acting; or
- (c) that is under administration; or
- (ca) that has executed a deed of company arrangement that has not yet terminated; or
- (d) that has entered into a compromise or arrangement with another person the administration of which has not been concluded.

Part 4 **Repeal and references to former standards**

12 **Repeal**

The Transport Operations (Marine Safety—Qualifications for Accreditation for Ship Designers, Ship Builders and Marine Surveyors) Interim Standard (No. 2) 2005 SL No. 181 is repealed.

13 **References to former standards**

- (1) In a document or instrument, other than an Act or regulation, a reference to the following is, if the context permits, a reference to this standard—
- *Transport Operations (Marine Safety—Qualifications for Accreditation for Ship Designers, Ship Builders and Marine Surveyors) Standard 1998;*
 - *Transport Operations (Marine Safety—Qualifications for Accreditation for Ship Designers, Ship Builders and Marine Surveyors) Interim Standard 2005;*
 - *Transport Operations (Marine Safety—Qualifications for Accreditation for Ship Designers, Ship Builders and Marine Surveyors) Interim Standard (No. 2) 2005.*
- (2) Subsection (1) does not limit the application of the *Acts Interpretation Act 1954*, section 14H.¹¹

11 *Acts Interpretation Act 1954*, section 14H (References taken to be included in reference to law)

Schedule Dictionary

section 3

accreditation period means—

- (a) for an accreditation that has been obtained for the first time—the period since the accreditation was obtained;
or
- (b) for an accreditation that has been renewed—the period since the accreditation was last renewed.

gt see schedule 15 of the regulation.

marine surveyor means a person who surveys a ship or part of a ship.

part of a ship means the hull, loadline, electrical systems or machinery of a ship.

regulation means the *Transport Operations (Marine Safety) Regulation 2004*.

ship builder means a person who builds a ship or part of a ship.

ship designer means a person who designs a ship or part of a ship.

ENDNOTES

- 1 Made by the general manager on 22 December 2005.
- 2 Approved by the Governor in Council on 23 February 2006.
- 3 Notified in the gazette on 24 February 2006.
- 4 Laid before the Legislative Assembly on . . .
- 5 The administering agency is the Department of Transport.