



Queensland

Transport Operations (Marine Safety) Act 1994

Transport Operations (Marine Safety—Parasailing) Standard 2000

Reprinted as in force on 7 July 2000

Reprint No. 1^{*}

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2007 SL No. 110 s 34

* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

Information about this reprint

This standard is reprinted as at 7 July 2000.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have been made to—

- correct spelling and use different spelling consistent with current drafting practice (s 26(1))
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit the enacting words (s 42A).

This page is specific to this reprint. A table of reprints is included in the endnotes.

See endnotes for information about when provisions commenced.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.



Queensland

Transport Operations (Marine Safety—Parasailing) Standard 2000

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
3	Purpose of standard	3
4	Definitions	4
Part 2	Obligations of operators	
5	Daily inspection of parasailing equipment	4
6	Manufacturer's instructions for equipment to be followed	4
7	Manufacturer's annual inspection of equipment	5
8	Winch	5
9	Winch rope	6
10	Minimum experience for parasailing ship masters	6
11	Personnel to be adequately trained and experienced	7
12	Supervisor to be at launching point	7
13	Risk assessment	7
14	Age of parasailors	7
15	Parasailors to wear personal flotation devices	8
16	Distance of separation to be kept while parasailing	8
17	Wind speed	8
18	Wind direction	9
19	Regard for swell and other sea conditions	9
20	Parasailing not be conducted at night	10
21	First aid	10
Part 3	Expiry	
22	Expiry	10
Schedule	Dictionary	11

Transport Operations (Marine Safety—Parasailing)
Standard 2000

Endnotes

1	Index to endnotes	12
2	Date to which amendments incorporated	12
3	Key	12
4	Table of reprints	13
5	List of legislation	13

Transport Operations (Marine Safety—Parasailing) Standard 2000

[reprinted as in force on 7 July 2000]

Part 1 Preliminary

1 Short title

This standard may be cited as the *Transport Operations (Marine Safety—Parasailing) Standard 2000*.

2 Commencement

This standard commences on 16 June 2000.

3 Purpose of standard

- (1) This standard provides ways of dealing with—
 - (a) the safety issue of appropriately equipping a parasailing ship, for the general safety obligation in section 41¹ of the Act; and
 - (b) various safety issues for the general safety obligation² in section 43³ of the Act.
- (2) This standard does not deal with everything that must be done to discharge those obligations in relation to the safety issues with which this standard deals.

1 Section 41 (General safety obligation of ship owners and masters about condition of ships) of the Act

2 The obligation requires a person involved with a ship's operation (including the owner, master, pilot and crew members) not to cause the ship to be operated unsafely.

3 Section 43 (General obligation on persons involved with operation of ship to operate it safely) of the Act

*Transport Operations (Marine Safety—Parasailing)
Standard 2000*

4 Definitions

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

Part 2 Obligations of operators

5 Daily inspection of parasailing equipment

- (1) Before the operator of a parasailing ship starts parasailing on any day, the operator must ensure a thorough inspection is made of all parasailing equipment to be used that day, including ropes, harnesses, webbing, clips, shrouds, canopies and winch controls, to ensure the equipment is in a safe condition.
- (2) The operator must not use, or allow the use of, parasailing equipment that the operator knows or suspects is unsafe.

Example—

Equipment that an operator knows may have been weakened by ultra violet light, or damaged in a way making it unsafe, must not be used.

- (3) The operator must keep a written record of each daily inspection conducted under subsection (1).
- (4) The record must state the following—
 - (a) the date of the inspection;
 - (b) the name of the person who carried out the inspection;
 - (c) the equipment found to be safe;
 - (d) the equipment found to be unsafe or suspect;
 - (e) the reason the equipment was unsafe or suspect.

6 Manufacturer's instructions for equipment to be followed

The operator of a parasailing ship must ensure that all equipment the operator uses for parasailing is fitted,

Transport Operations (Marine Safety—Parasailing)
Standard 2000

maintained and used in accordance with any instructions given with the equipment by its manufacturer.

7 Manufacturer's annual inspection of equipment

- (1) The operator of a parasailing ship must ensure that each item of equipment used for parasailing, other than the winch, is thoroughly inspected each year by the manufacturer of the equipment or the manufacturer's agent to see if the equipment is still safe to use.
- (2) The operator must keep a written record of the inspection that states the following—
 - (a) the date of the inspection;
 - (b) the name of the manufacturer or agent who carried out the inspection;
 - (c) the name of the person who carried out the inspection for the manufacturer or agent;
 - (d) any deficiencies found in the equipment;
 - (e) any remedial action taken for the equipment;
 - (f) a serial number for the equipment.
- (3) The record must be kept for the life of the equipment.
- (4) The serial number for the equipment must be used each time the equipment is inspected.

8 Winch

- (1) The operator of a parasailing ship must not use a winch unless it is fitted with the following safety cut-out devices—
 - (a) a device that enables the emergency cutting out of the winch motor at a point on the ship separate from the winch controls;
 - (b) if the winch has a sheave to receive the winch rope, a device to cut out the winch motor to stop the winch rope hitch and parasail harness assembly being wound in past the sheave;

Transport Operations (Marine Safety—Parasailing)
Standard 2000

- (c) if the winch has no sheave to receive the winch rope, a device to cut out the winch motor to stop the winch rope hitch and parasail harness assembly being wound into contact with the winch.
- (2) Before the operator starts parasailing on any day, the operator must test the winch through the full range of its operation.
- (3) The test must include a test of each device for cutting out the winch motor.

9 Winch rope

- (1) The operator of a parasailing ship may use a winch rope only if it complies with this section.
- (2) The rope must have a minimum breaking strain of 3000kg.
- (3) The length of rope used with a parasailing harness must not exceed the maximum length specified by the harness's manufacturer.
- (4) The rope must be replaced at the earlier of—
 - (a) 4 months after it is first used; or
 - (b) the completion of 400 parasail flights.

10 Minimum experience for parasailing ship masters

- (1) The operator of a parasailing ship must ensure that only a person with the following experience is the master of the ship—
 - (a) 500 parasail flights as a parasailing deckhand;
 - (b) 100 parasail flights in control of the ship but under supervision, using differing chute sizes and under a range of weather conditions.
- (2) Of the 100 parasail flights mentioned in subsection (1)(b), at least 50 are required to have been conducted towing a parasailor rather than weights used to simulate a parasailor.
- (3) Subsection (1) applies even if the operator of the ship is also the master of the ship.

11 Personnel to be adequately trained and experienced

- (1) The operator of a parasailing ship must, for parasailing conducted by the operator, ensure that each person involved in conducting the parasailing is adequately trained and experienced for the role the person plays in conducting the parasailing.
- (2) The operator must, for parasailing conducted by the operator, keep a written record of the relevant qualifications, training and experience of each person involved in conducting the parasailing.
- (3) In this section—

person involved in conducting the parasailing includes the parasail operator.

12 Supervisor to be at launching point

The operator of a parasailing ship must, for parasailing conducted by the operator, ensure that a person, other than the master of the ship, supervises what happens at the launching point.

13 Risk assessment

The operator of a parasailing ship must carry out a written assessment of all the risks the operator foresees could arise in conducting parasailing using the ship.

14 Age of parasailors

- (1) The operator of a parasailing ship must not allow a person under 12 years to parasail.
- (2) However, the operator may allow a person who is at least 10 years to parasail if the parasailor—
 - (a) wears a snugly fitting parasail harness; and
 - (b) is accompanied by an adult.

15 Parasailors to wear personal flotation devices

The operator of a parasailing ship must, for parasailing conducted by the operator, ensure that each parasailor wears, at all times while parasailing, a personal flotation device complying with Australian Standard 1499.

16 Distance of separation to be kept while parasailing

- (1) The operator of a parasailing ship must, while conducting parasailing, ensure that the ship, tow line and parasailor do not come within—
 - (a) 200m of a helicopter, float plane or other aircraft that is airborne; or
 - (b) 200m of another parasailing ship with a parasailor aloft; or
 - (c) 30m of another ship, whether the ship is underway, moored or at anchor; or
 - (d) 30m of a powerline, wharf, jetty or other fixed structure; or
 - (e) 30m of a navigation hazard.
- (2) The operator of a parasailing ship must not start parasailing unless the operator reasonably believes the distance of separation mentioned in subsection (1) can be maintained.
- (3) If parasailing has started, the operator—
 - (a) must immediately stop parasailing if the operator reasonably believes that it will not be possible to maintain a distance of separation mentioned in subsection (1); and
 - (b) must not start parasailing again until the operator reasonably believes the distance can be maintained.

17 Wind speed

- (1) The operator of a parasailing ship must, while conducting parasailing, ensure the wind speed is—
 - (a) measured before parasailing starts on a day; and

Transport Operations (Marine Safety—Parasailing)
Standard 2000

- (b) constantly monitored and taken into account while the parasailing is continuing; and
 - (c) measured each time there is a change in wind speed that may affect parasailing.
- (2) The operator must not conduct parasailing in a wind speed of more than 24 knots.
- (3) Wind speed must be measured by an instrument calibrated to give a reading within 10% of the wind's actual speed.
- (4) The calibration must have been done no more than 1 year before the day the wind speed is measured.
- (5) After each calibration, the operator must make a written record of the date of calibration and the instrument's accuracy.
- (6) The record must be kept for the life of the instrument.

18 Wind direction

- (1) The operator of a parasailing ship must, while conducting parasailing, ensure that the wind direction is constantly monitored and taken into account.
- (2) The operator must not conduct parasailing on a lee shore unless the operator has done a proper assessment of the risks involved and decided that it is safe to parasail despite the risks.⁴

19 Regard for swell and other sea conditions

The operator of a parasailing ship must ensure that the swell and other sea conditions where the operator is to conduct or is conducting parasailing is constantly monitored and taken into account.

⁴ If there is an equipment failure, the risk of injury is considerably greater than normal on a lee shore.

Transport Operations (Marine Safety—Parasailing)
Standard 2000

20 Parasailing not be conducted at night

The operator of a parasailing ship must not conduct parasailing between sunset on a day and sunrise on the following day.

21 First aid

- (1) The operator of a parasailing ship must, for parasailing conducted by the operator, ensure that either at the launching point, or the point where parasailors are retrieved after a flight, there is a person who holds a St. John Ambulance senior first aid certificate or an equivalent certificate.
- (2) The operator of a parasailing ship must, for parasailing conducted by the operator, ensure a suitably equipped first aid kit is carried on the ship or is otherwise available for immediate use.
- (3) The operator of a parasailing ship must, for parasailing conducted by the operator, ensure that arrangements for the medical treatment and evacuation of an injured parasailor—
 - (a) have been planned; and
 - (b) have been practised at the same time as emergency drills are conducted under the Code.

Part 3 Expiry

22 Expiry

This standard expires 7 years after it commences.

Schedule Dictionary

section 4

Code means the Uniform Shipping Laws Code adopted by the Commonwealth, State and Territory Ministers.

operator, of a parasailing ship, means a person who is—

- (a) the master of the ship or the person who will be the master of the ship; or
- (b) an owner of the ship who is involved in the day to day operation of the ship.

parasailing means the towing of a parachute or parasail by a ship—

- (a) whether the launching is from a ship or the shore; and
- (b) whether or not a passenger is towed.

parasailing ship means a ship that conducts or is to conduct the activity of parasailing, whether or not it is fitted with a winch used for the parasailing.

underway means not at anchor or made fast to the shore or aground.

winch means a winch used to hoist a parasailor.

Endnotes

1 Index to endnotes

	Page
2 Date to which amendments incorporated	12
3 Key	12
4 Table of reprints	13
5 List of legislation	13

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Transport Operations (Marine Safety—Parasailing) Standard 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
o in c	= order in council	s	= section
om	= omitted	sch	= schedule
orig	= original	sdiv	= subdivision
p	= page	SIA	= Statutory Instruments Act 1992
para	= paragraph	SIR	= Statutory Instruments Regulation 2002
prec	= preceding	SL	= subordinate legislation
pres	= present	sub	= substituted
prev	= previous	unnum	= unnumbered

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	none	16 June 2000	7 July 2000

5 List of legislation

Transport Operations (Marine Safety—Parasailing) Standard 2000 SL No. 115

made by the chief executive on 6 June 2000

notfd gaz 16 June 2000 pp 555–6

ss 1–2 commenced on date of notification

remaining provisions commenced 16 June 2000 (see s 2)

exp 16 June 2007 (see s 22)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.