



Queensland

Transport Operations (Marine Safety) Act 1994

Transport Operations (Marine Safety—Examining and Training (Commercial and Fishing Ships)) 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. 111 s 11

* 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 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

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

Also see endnotes for information about when provisions commenced.



Queensland

Transport Operations (Marine Safety—Examining and Training (Commercial and Fishing Ships)) Standard 2000

Contents

		Page
1	Short title	3
2	Commencement	3
3	Definitions	3
4	Application of standard	4
5	Qualifying of entity to conduct examinations—Marine Safety Regulation, s 72(1)	4
6	Qualifying of entity to provide training—Marine Safety Regulation, s 73(1)	4
7	Competence of entity	5
8	When an entity does not qualify	5
9	Expiry	5

Endnotes

1	Index to endnotes	6
2	Date to which amendments incorporated	6
3	Key	6
4	Table of reprints	7
5	List of legislation	7

Transport Operations (Marine Safety—Examining and Training (Commercial and Fishing Ships)) Standard 2000

[reprinted as in force on 7 July 2000]

1 Short title

This standard may be cited as the *Transport Operations (Marine Safety—Examining and Training (Commercial and Fishing Ships)) Standard 2000*.

2 Commencement

This standard commences on 16 June 2000.

3 Definitions

In this standard—

commercial ship see the Marine Safety Regulation, schedule 11.

conviction includes a finding of guilt or the acceptance of a plea of guilty by a court, whether or not a conviction is recorded.

executive officer, of a body corporate, means a person who is concerned with, or takes part in, the body corporate's management, whether or not the person is a director or the person's position is given the name of executive officer.

fishing ship see the Marine Safety Regulation, schedule 11.

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

VETE Act means the *Vocational Education, Training and Employment Act 1991*.

Transport Operations (Marine Safety—Examining and Training (Commercial and Fishing Ships)) Standard 2000

4 Application of standard

This standard applies to commercial ships and fishing ships.

5 Qualifying of entity to conduct examinations—Marine Safety Regulation, s 72(1)

An entity qualifies under the Marine Safety Regulation, section 72(1) as an entity to conduct examinations for licences for ships if—

- (a) the entity is—
 - (i) registered as an approved training organisation under the VETE Act to conduct the examinations; or
 - (ii) similarly registered under the law of another State corresponding to the VETE Act; and
- (b) the chief executive is satisfied that the entity's competence, expertise, quality assurance systems and resources are adequate for conducting the examinations.

6 Qualifying of entity to provide training—Marine Safety Regulation, s 73(1)

An entity qualifies under the Marine Safety Regulation, section 73(1) as an entity to provide training programs in the operation of ships if—

- (a) the entity is—
 - (i) registered as an approved training organisation under the VETE Act to provide the training programs; or
 - (ii) similarly registered under the law of another State corresponding to the VETE Act; and
- (b) the chief executive is satisfied that the entity's competence, expertise, quality assurance systems and resources are adequate for providing the training programs.

Transport Operations (Marine Safety—Examining and Training (Commercial and Fishing Ships)) Standard 2000

7 Competence of entity

In deciding whether an entity is competent for section 5(b) or 6(b) to conduct examinations or provide training programs, the chief executive must have regard to whether the entity—

- (a) has paid an infringement notice penalty under the *Justices Act 1886*, part 4A¹ for an offence against this Act in the last 2 years; or
- (b) has been convicted of an offence against this Act in the last 5 years.

8 When an entity does not qualify

Despite sections 5 and 6, an entity is not qualified to conduct examinations or provide training programs—

- (a) if the entity is an individual who—
 - (i) has been convicted of an indictable offence in the last 5 years; or
 - (ii) has had a licence to operate a ship suspended or cancelled in the last 5 years; or
 - (iii) is an undischarged bankrupt; or
- (b) if the entity is a body corporate that—
 - (i) has been convicted of an indictable offence in the last 5 years; or
 - (ii) has an executive officer who—
 - (A) has been convicted of an indictable offence in the last 5 years; or
 - (B) has had a licence to operate a ship suspended or cancelled in the last 5 years.

9 Expiry

This standard expires 7 years after it commences.

¹ *Justices Act 1886*, part 4A (Infringement notices)

Endnotes

1 Index to endnotes

		Page
2	Date to which amendments incorporated	6
3	Key	6
4	Table of reprints	7
5	List of legislation	7

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—Examining and Training (Commercial and Fishing Ships)) 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
notfcd	= 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

*Transport Operations (Marine Safety—Examining and
Training (Commercial and Fishing Ships)) Standard
2000*

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—Examining and Training (Commercial and Fishing Ships)) Standard 2000 SL No. 117

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 9)

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