



Transport Operations (Marine Safety) Act 1994

Transport Operations (Marine Safety—Parasailing) Standard 2007

Current as at 15 June 2007

Reprint note

This is the last reprint before repeal. Repealed on 1 September 2016 by 2016 SL No. 154, section 214.



Queensland

Transport Operations (Marine Safety— Parasailing) Standard 2007

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Transport Operations (Marine Safety—Parasailing) Standard 2007

Part 1 Preliminary

1 Short title

This standard may be cited as the *Transport Operations (Marine Safety—Parasailing) Standard 2007*.

2 Commencement

This standard commences on 15 June 2007.

3 Main purpose of standard

The main purpose of this standard is to help people understand their general safety obligations under part 4, division 1 of the Act.

4 Application of standard

This standard applies to the conduct of parasailing using a commercial ship.

5 Definitions

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

Part 2 Equipment

6 Daily inspection of parasailing equipment

- (1) The operator of a ship used for parasailing must ensure all parasailing equipment to be used on a particular day is thoroughly inspected on that day to ensure the equipment is in a safe condition.
- (2) The inspection—
 - (a) must be conducted in accordance with the manufacturer's specifications for the equipment and before the parasailing starts; and
 - (b) must include a test of the winch as required under subsection (3).
- (3) For subsection (2)(b)—
 - (a) the winch must be tested through its full range of operation; and
 - (b) the test must include a test of each device for cutting out the winch motor.
- (4) The operator must keep a written record of each inspection conducted under subsection (1).
- (5) The record must state the following in a way that can be easily read—
 - (a) the date of the inspection;
 - (b) the name of the person who inspected the equipment;
 - (c) the equipment found to be safe;
 - (d) the equipment found to be unsafe or that was suspected of being unsafe;
 - (e) the reason the equipment was unsafe or suspected of being unsafe.

7 Unsafe equipment not to be used

The operator must not use, or allow the use of, parasailing equipment the operator knows or suspects is unsafe.

Example of when equipment may be unsafe—

equipment that may have been weakened by ultraviolet light or damaged

8 Manufacturer's specification for equipment to be followed

The operator of a ship used for parasailing must ensure all parasailing equipment is fitted, inspected, maintained, replaced and used in accordance with the manufacturer's specification for the equipment.

9 Parasail payloads

- (1) For each parasail flight, the master of the ship used for parasailing must ensure the minimum and maximum payloads are within the manufacturer's specification for the parasail.
- (2) If the parasail does not have a manufacturer's specification, the following payload limits apply—
 - (a) minimum payload—40kg;
 - (b) maximum payload—200kg.

10 Annual inspection of equipment

- (1) The operator of a ship used for parasailing must ensure each item of parasailing equipment, other than the winch, is thoroughly inspected each year by 1 of the following (each of whom is an *equipment inspector*)—
 - (a) the manufacturer of the equipment;
 - (b) the manufacturer's agent;
 - (c) an appropriately experienced person.
- (2) The equipment inspector must be satisfied that the parasailing equipment is safe.

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- (3) The operator must keep a written record of each inspection conducted under subsection (1).
- (4) The record must state the following in a form that can be easily read—
 - (a) the date of the inspection;
 - (b) the name of the equipment inspector;
 - (c) if the equipment inspector carried out the inspection for the manufacturer or the manufacturer’s agent—the name of 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.
- (5) The record for a piece of equipment must be kept for the life of the equipment or, if the record relates to more than 1 piece of equipment, until the end of the life of all pieces of equipment to which the record relates.
- (6) In this section—

appropriately experienced person means a person with skills, knowledge and experience that enable the person to assess whether or not parasailing equipment is safe.

Example of an appropriately experienced person—

a person who has spent three years working as a master and operator of a ship used for parasailing

11 Winch

A winch on a ship used for parasailing may be used for parasailing only if it is fitted with the following safety cut-out devices—

- (a) a device enabling 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;

- (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.

12 Winch rope

- (1) A winch rope may be used for parasailing only if—
 - (a) it complies with the manufacturer’s specification for safe working load and number of flights after which the rope should be replaced; and
 - (b) it is not longer than the maximum length stated by the manufacturer of the parasail harness for winch ropes to be used with the parasail harness.
- (2) For subsection (1)(a), if the winch rope does not have a manufacturer’s specification, the winch rope—
 - (a) must have a safe working load of 3000kg; and
 - (b) must be replaced whenever the earlier of the following happens—
 - (i) 4 months after the winch rope is first used;
 - (ii) the winch rope is used for 400 parasail flights.
- (3) Also, the winch rope must—
 - (a) be kept clean; and
 - (b) be trimmed whenever necessary because the end is worn and at least once a month.

Part 3 Personnel

13 Minimum experience for master of ship used for parasailing

- (1) If the operator is the master of the ship used for parasailing, the operator must hold at least a restricted coxswain's licence and satisfy the experience requirements in subsection (3).
- (2) If the operator is not the master of the ship used for parasailing, the operator must ensure that the master holds at least a restricted coxswain's licence and satisfies the experience requirements in subsection (3).
- (3) The experience requirements are—
 - (a) experience as a parasailing deckhand for 500 parasail flights; and
 - (b) control of a ship used for parasailing under supervision, using differing parasail sizes and under a range of weather conditions for at least 100 parasail flights—
 - (i) some of which were made using weights to simulate a parasailor; and
 - (ii) at least 50 of the first 100 of which were made towing a parasailor.
- (4) The experience requirements mentioned in subsection (3) must be gained over a period of at least 3 months.

14 Personnel to be adequately trained and experienced

- (1) The operator of a ship used for parasailing must not be personally involved in conducting the parasailing unless the operator is adequately trained and experienced for the role the operator performs in conducting the parasailing.
- (2) The operator must ensure that each person involved in conducting the parasailing, other than as master of the ship, is adequately trained and experienced for the role the person performs in conducting the parasailing.

- (3) The operator must keep a written record of the relevant qualifications, training and experience of each person involved in conducting the parasailing.

15 Supervisor to be at launching point

- (1) The master of a ship used for parasailing must ensure a person other than the master supervises what happens at the launching point.
- (2) Also, the master must ensure the supervisor mentioned in subsection (1)—
 - (a) keeps a lookout for sources of danger at deck, sea and air levels at all times during each parasail flight; and
 - (b) informs the master of any sources of danger observed.

Part 4 Risk management

16 Risk assessment

The operator of a ship used for parasailing must—

- (a) prepare a written assessment of all the risks the operator foresees could arise in conducting parasailing using the ship; and
- (b) prepare a written contingency plan for eliminating, minimising or responding to risks identified by the risk assessment mentioned in paragraph (a); and
- (c) keep a copy of the risk assessment prepared under paragraph (a) and the contingency plan prepared under paragraph (b) on board the ship with other documents required to be kept by the *Transport Operations (Marine Safety) Regulation 2004*, part 5, division 11.

17 First aid

- (1) The operator of a ship used for parasailing must ensure a trained first aid officer is either—
 - (a) at the launching point; or
 - (b) at the point where parasailors are retrieved after a parasail flight.
- (2) The operator must ensure a suitably equipped first aid kit is carried on the ship or is otherwise available for immediate use.
- (3) The operator must ensure 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.
- (4) In this section—

trained first aid officer means a person who holds a senior first aid certificate, or an equivalent certificate, issued under the Australian Qualifications Framework within the meaning of the *Vocational Education, Training and Employment Act 2000*, section 19.

18 Safety briefing

- (1) The operator of a ship used for parasailing must ensure each parasailor is given a safety briefing that complies with subsections (2) and (3) before starting parasailing.
- (2) The safety briefing must include the following matters—
 - (a) a description of parasailing;
 - (b) location of safety equipment on the ship;
 - (c) appropriate use of signals;
 - (d) safety precautions to be taken—
 - (i) when the ship is underway; and

-
- (ii) when a parasailor is aloft;
- (e) warnings and procedures for a parasailing incident;
- Examples of a parasailing incident for paragraph (e)—*
- landing on water
 - equipment malfunction
 - the winch rope becoming separated from either the winch or the parasail
- (f) procedures in an emergency on board the ship;
- (g) if the parasailor proposes to engage in controlled dipping, safety guidelines for controlled dipping mentioned in section 31;
- (h) if the parasailor proposes to engage in a multiple passenger flight, safety guidelines for a multiple passenger flight mentioned in section 32.
- (3) The safety briefing must also include—
- (a) a question and answer session to assess each parasailor’s understanding of the safety briefing; and
- (b) an opportunity for parasailors to ask questions about the safety briefing.
- (4) After the safety briefing, the operator must make an assessment about whether it is safe for each parasailor to take part in parasailing.
- (5) If the operator has made the assessment mentioned in subsection (4) and considers, on reasonable grounds, that it is not in the best interests of safety for a particular individual to take part in parasailing, the operator must exclude that individual from parasailing.

Examples of reasonable grounds for subsection (5)—

- the individual has insufficient skills to take part in parasailing
- the individual is intimidated by or afraid of the prospect of parasailing
- the individual has a careless attitude to safety

Part 5 Parasailors

19 Age of parasailors

A child under 12 years may be a parasailor only if—

- (a) the child wears a parasail harness that fits the child comfortably and safely as required by section 21; and
- (b) the child is accompanied by an adult; and
- (c) the payload requirements mentioned in section 9 are satisfied.

20 Parasailors to wear personal flotation devices

- (1) The master of a ship used for parasailing must ensure each parasailor wears a personal flotation device complying with Australian Standard AS 1499—1996 while parasailing.
- (2) In this section—

personal flotation device means a buoyancy aid worn by a person to keep the person afloat in water.

21 Parasail harnesses

The master of a ship used for parasailing must ensure that, for each parasail flight, each parasailor is comfortably and safely fitted into the parasail harness.

Part 6 Weather and other conditions

22 Daily weather evaluation and log

- (1) Before the master of a ship used for parasailing starts parasailing on any day, the master must assess the weather

conditions to decide whether it is safe to parasail, having regard to the following matters—

- (a) wind speed based on the information obtained under section 23(1);
 - (b) wind direction;
 - (c) swell and other sea conditions;
 - (d) whether it is raining;
 - (e) whether it is foggy;
 - (f) visibility.
- (2) The master must record the assessment made under and the matters mentioned in subsection (1) in a daily weather log in a way that can be easily read.

23 Wind speed

- (1) Before the master of a ship used for parasailing starts parasailing on any day, the master must find out the wind speed, either—
- (a) by measuring the wind speed as required by section 24; or
 - (b) by obtaining information about the wind speed from a reliable source, including, for example, the Bureau of Meteorology, a local airport or volunteer marine rescue service.
- (2) Also, the master must ensure wind speed is—
- (a) constantly monitored and taken into account while conducting parasailing; and
 - (b) assessed whenever there is a change in wind speed that may affect parasailing.

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24 Measurement of wind speed

- (1) If the master of a ship used for parasailing measures the wind speed as mentioned in section 23(1)(a), the master must comply with this section.
- (2) The measurement of wind speed must be made using an instrument calibrated, not less than 1 year before the date of the measurement, to give a reading within 10% of the wind's actual speed.
- (3) Also, if the instrument mentioned in subsection (2) is recalibrated, the master must make a written record, in a way that can be easily read, of the date of recalibration and the instrument's accuracy.
- (4) The record under subsection (3) must be kept for the life of the instrument.

25 Wind direction

The master of a ship used for parasailing must ensure wind direction is constantly monitored and taken into account while conducting parasailing.

26 Regard for swell and other sea conditions

The master of a ship used for parasailing must ensure the swell and other sea conditions are constantly monitored and taken into account while conducting parasailing.

27 Visibility

The master of a ship used for parasailing must ensure that the following visibility requirements are met while the ship is involved in parasailing—

- (a) vertical visibility is at least 150m;
- (b) horizontal visibility is at least 1km.

28 Weather conditions—parasailing not to be conducted

- (1) The master of a ship used for parasailing must not conduct parasailing—
 - (a) in a wind speed of more than 20kn at sea level; or
 - (b) if winds are gusting and the gusts are excessive or dangerous; or
 - (c) between sunset and sunrise.
- (2) Also, the master of a ship used for parasailing must not conduct parasailing if any of the following weather conditions are visible from the ship and likely to affect the safe operation of the ship—
 - (a) rain;
 - (b) heavy fog;
 - (c) lightning.
- (3) Also, if the master of a ship used for parasailing becomes aware of a weather warning about a storm system approaching the ship, the master must not conduct parasailing until the threat posed by the storm system has passed.

Part 7 Conducting parasailing

29 Distance of separation to be kept while parasailing

The master of a ship used for parasailing must ensure that the ship, winch rope and parasailor do not come within any of the following distances while the ship is involved in parasailing—

- (a) 200m of an airborne helicopter, float plane or other aircraft;
- (b) 200m of another ship used for parasailing with a parasailor aloft;

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- (c) 30m of another ship, whether the ship is underway, moored or at anchor;
- (d) 50m of the shore;
- (e) 200m of a powerline;
- (f) 50m of a wharf, jetty or other fixed structure;
- (g) 30m of a hazard to navigation;
- (h) 100m of a person not involved in conducting the parasailing.

30 Parasailing on a lee shore

- (1) The master of a ship used for parasailing must not conduct parasailing on a lee shore unless the master has done an appropriate assessment of the risks involved and decided it is safe to parasail despite the risks.

Note—

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

- (2) If parasailing is conducted on a lee shore, the master must not allow the parachute to pass within a distance from the shore equal to the following—
- (a) for a wind speed of up to 9kn—the length of the winch rope;
 - (b) for a wind speed of more than 9kn but not more than 13kn—twice the length of the winch rope;
 - (c) for a wind speed of more than 13kn—3 times the length of the winch rope.

31 Controlled dipping

The master of a ship used for parasailing may conduct controlled dipping while conducting parasailing if—

- (a) the master believes on reasonable grounds that he or she will be able to control the dipping while maintaining

stability of the ship and avoiding risk of injury to the parasailor; and

- (b) the parasailor does not come within 100m of—
 - (i) a ship other than the ship used for parasailing, whether the ship is underway, moored or at anchor; or
 - (ii) a powerline, wharf, jetty or other fixed structure; or
 - (iii) a hazard to navigation; and
- (c) the parasailor does not come within 50m of the stern of the ship.

32 Multiple passenger flights

The master of a ship used for parasailing may conduct multiple passenger flights while conducting parasailing if—

- (a) the master believes on reasonable grounds that he or she will be able to control the multiple passenger flight; and
- (b) the master exercises extreme caution; and
- (c) the master believes on reasonable grounds that the wind is stable and consistent and the wind speed and wind direction are adequate for a multiple passenger flight; and
- (d) the master uses equipment designed and manufactured for use for commercial multiple passenger flights; and
- (e) the payload requirements mentioned in section 9 are satisfied.

33 Steering ship used for parasailing

The master of a ship used for parasailing must steer the ship so that the angle between the centre-line of the ship and the winch rope is safe, having regard to the weather conditions mentioned in section 22(1).

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Note—

The direction of the winch rope usually follows the direction of the wind and an excessive angle between the centre-line of the ship used for parasailing and the winch rope may endanger safe operation of the ship.

Part 8 Repeal

34 Repeal

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

Schedule Dictionary

section 5

controlled dipping means the process of lowering a parasail so that all or part of the parasailor's body below the waist dips into the water.

manufacturer's specification, for parasailing equipment, includes written instructions given with the equipment by its manufacturer about the fitting, inspection, maintenance, replacement and use of the equipment.

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.

parasail, when used as a noun, means a multi-vented sail or parachute-like device used to hoist a parasailor above water level.

parasailing means the towing of a parasail by a ship, whether the launching is from a ship or the shore.

parasailing equipment means equipment to be used in conducting parasailing, including, for example, canopies, clips, parasail harnesses, ropes, shrouds, webbing and winch controls.

payload means—

- (a) the body weight of the parasailor; or
- (b) if the parasail is used by more than 1 parasailor, the combined body weight of the parasailors.

ship used for parasailing means a ship used or to be used for the activity of parasailing.

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

winch means a winch used to hoist a parasailor.

1 Index to endnotes

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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 2007** 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
amd	= amendment	prov	= provision
t			
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	renu	= renumbered
		m	
ins	= inserted	rep	= repealed

Endnotes

Key	Explanation	Key	Explanation
lap	= lapsed	(retro	= retrospectively)
notf	= notified	rv	= revised edition
d		s	= section
num	= numbered	sch	= schedule
o in	= order in council	sdiv	= subdivision
c		SIA	= Statutory Instruments Act 1992
om	= omitted	SIR	= Statutory Instruments Regulation 2002
orig	= original	SL	= subordinate legislation
p	= page	sub	= substituted
para	= paragraph	unnu	= unnumbered
prec	= preceding	m	
pres	= present		
prev	= previous		

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 included	Effective	Notes
1	none	15 June 2007	

5 List of legislation

Transport Operations (Marine Safety—Parasailing) Standard 2007 SL No. 110

made by the general manager on 24 April 2007

notfd gaz 15 June 2007 pp 892–5

ss 1–2 commenced on date of notification

remaining provisions commenced 15 June 2007 (see s 2)

Note—An explanatory note was prepared.

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