



Queensland

Transport Operations (Marine Safety) Act 1994

Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 2006

Current as at 1 January 2012



Queensland

Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 2006

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
3	Dictionary	3
4	Purpose of standard	3
Part 2	Miscellaneous equipment for all recreational ships	
Division 1	Application of pt 2	
5	Application of pt 2	4
Division 2	Recreational ships other than personal watercraft	
5A	Application of div 2	4
6	Navigation	4
7	Anchoring	4
8	Baling	5
9	Manual propulsion	5
10	Drinking water	6
11	Equipment to be in working order	6
Division 3	Recreational ships that are personal watercraft	
11A	Application of div 3	6
11B	Navigation	6
11C	Anchoring	6
11D	Drinking water	7
11E	Equipment to be in working order	7
Part 3	Miscellaneous equipment for particular recreational ships that do not require registration	
Division 1	Preliminary	

Contents

12	Definitions for pt 3	7
Division 2	Miscellaneous equipment for particular recreational ships other than particular personal watercraft	
13	Definitions for div 2	8
14	Application of div 2	8
15	Safety equipment in smooth waters	8
16	Safety equipment in or beyond partially smooth waters	9
17	Exception for person wearing diver's jacket	10
Division 3	Miscellaneous equipment for particular personal watercraft	
18	Safety equipment for particular personal watercraft	10
Division 4	Servicing or replacing safety equipment	
19	Safety equipment to be serviced or replaced	12
Part 4	Repeal and references to former standards	
20	Repeal	12
21	References to former standards	12
Schedule	Dictionary	14

Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 2006

Part 1 Preliminary

1 Short title

This standard may be cited as the *Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) 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

This standard will help people to understand the general safety obligation under section 41 of the Act for recreational ships.

Part 2 **Miscellaneous equipment for all recreational ships**

Division 1 **Application of pt 2**

5 **Application of pt 2**

This part applies to a person who is the owner or master of a recreational ship, whether or not the ship is required to be registered under part 3, division 4 of the regulation.

Division 2 **Recreational ships other than personal watercraft**

5A **Application of div 2**

This division applies to a person who is the owner or master of a recreational ship other than a personal watercraft.

6 **Navigation**

A recreational ship operating in or beyond partially smooth waters should be equipped with a liquid damped compass and a navigation chart appropriate to the operational area.

7 **Anchoring**

- (1) A recreational ship should be equipped with—
 - (a) for a ship less than 5m operating in smooth waters—an anchor with at least 18m of cable; or
 - (b) for a ship less than 5m operating in or beyond partially smooth waters—an anchor with at least 27m of cable; or
 - (c) for a ship 5m or more but less than 8m operating in any operational area—an anchor with at least 27m of cable; or

- (d) for a ship 8m or more operating in any operational area—2 anchors each with at least 37m of cable.
- (2) Despite subsection (1), the type and weight of anchor and the length and thickness of the cable should be appropriate for—
 - (a) the type and weight of ship; and
 - (b) the weather and sea conditions; and
 - (c) the nature of the seabed.
- (3) In this section—

cable means—

 - (a) for a ship less than 5m—a chain or rope; or
 - (b) for a ship 5m or more—
 - (i) a chain; or
 - (ii) a chain of at least 2m attached to the anchor and a rope.

8 Baling

A recreational ship should be equipped with—

- (a) for a ship less than 5m—baling equipment appropriate for the type of ship; or
- (b) for a ship 5m or more but less than 8m—a pump or other baling equipment with a minimum capacity of 45L per minute; or
- (c) for a ship 8m or more—a pump or other baling equipment with a minimum capacity of 70L per minute.

9 Manual propulsion

A recreational ship less than 6m should be equipped with a way of manually propelling the ship.

Examples—

oars, paddles

10 Drinking water

A recreational ship should be equipped with enough drinking water for everyone on board for the duration of the intended voyage.

11 Equipment to be in working order

The equipment mentioned in this division should be in good working order.

Division 3 Recreational ships that are personal watercraft

11A Application of div 3

This division applies to a person who is the owner or master of a recreational ship that is a personal watercraft when operating in or beyond partially smooth waters, other than a personal watercraft operating—

- (a) under an aquatic event authority; or
- (b) beyond partially smooth waters within 0.5 nautical miles from land.

11B Navigation

A recreational ship that is a personal watercraft should be equipped with either of the following—

- (a) a liquid damped compass and a navigation chart appropriate to the operational area;
- (b) an electronic navigation device appropriate to the operational area.

11C Anchoring

- (1) A recreational ship that is a personal watercraft should be equipped with an anchor with a cable.

- (2) The type and weight of anchor and the length and thickness of the cable should be appropriate for—
 - (a) the type and weight of the ship; and
 - (b) the weather and sea conditions; and
 - (c) the nature of the seabed.
- (3) In this section—

cable means a chain or rope.

11D Drinking water

A recreational ship that is a personal watercraft should be equipped with enough drinking water for everyone on board for the duration of the intended voyage.

11E Equipment to be in working order

The equipment mentioned in this division should be in good working order.

Part 3 Miscellaneous equipment for particular recreational ships that do not require registration

Division 1 Preliminary

12 Definitions for pt 3

In this part—

PFD type 1 see schedule 15 of the regulation.

PFD type 2 see schedule 15 of the regulation.

PFD type 3 see schedule 15 of the regulation.

Division 2 **Miscellaneous equipment for particular recreational ships other than particular personal watercraft**

13 **Definitions for div 2**

In this division—

person, for sections 15, 16 and 17, means an individual who is 1 year or more.

personal flotation device see schedule 15 of the regulation.

positive flotation see schedule 15 of the regulation.

14 **Application of div 2**

- (1) This division applies to a person who is the owner or master of a recreational ship mentioned in section 60(2)(f) or (i) of the regulation.
- (2) However, this division does not apply to a person who is the owner or master of a recreational ship mentioned in section 60(2)(i) of the regulation, if the ship is a personal watercraft.

Editor's note—

See division 3 (Miscellaneous equipment for particular personal watercraft).

15 **Safety equipment in smooth waters**

- (1) A recreational ship operating in smooth waters should be equipped with—
 - (a) a PFD type 1, 2 or 3 for each person on board; and
 - (b) if the ship is more than 5m, fire fighting equipment capable of extinguishing fire on the ship quickly and effectively.
- (2) However, subsection (1)(a) does not apply if—

- (a) the ship operates in a river, creek, stream or the waters contained within breakwaters or revetments; and
 - (b) the ship is equipped with grab lines, grab rails or other permanent means of giving each person on board a way of keeping a secure hold to the ship; and
 - (c) there is a statement in the approved form for the ship that the ship has positive flotation.
- (3) Despite subsection (1)(a), a tender operating in smooth waters is not required to be equipped with a PFD type 1, 2 or 3 for each person on board if—
- (a) the tender is used within 1km of the ship for which it is a tender; and
 - (b) there is a statement in the approved form for the tender that the tender has positive flotation.
- (4) The ship is taken not to be equipped with the safety equipment mentioned in subsection (1)(a) unless there is an appropriate size life jacket or personal flotation device for each person on board.

16 Safety equipment in or beyond partially smooth waters

- (1) A recreational ship operating in or beyond partially smooth waters should be equipped with—
- (a) if the ship is operating in partially smooth waters—a PFD type 1 or 2 for each person on board; and
 - (b) if the ship is operating beyond partially smooth waters—a PFD type 1 for each person on board; and
 - (c) a V sheet; and
 - (d) 2 hand held red flares; and
 - (e) 2 hand held orange smoke signals; and
 - (f) if the ship is more than 5m—fire fighting equipment capable of extinguishing fire on the ship quickly and effectively.

- (2) The flares and signals mentioned in subsection (1)(d) and (e) should conform to AS 2092–2004.

Editor's note—

AS 2092–2004 (Pyrotechnic marine distress flares and signals for pleasure craft)

- (3) The ship is taken not to be equipped with the safety equipment mentioned in subsection (1)(a) or (b) unless there is an appropriate size life jacket or personal flotation device for each person on board.

- (4) In this section—

V sheet see schedule 15 of the regulation.

17 Exception for person wearing diver's jacket

Despite sections 15 and 16, a recreational ship need not be equipped with a personal flotation device for a person on board if the person is wearing an inflatable diver's jacket complying with BS EN 12628:1999.

Editor's note—

BS EN 12628:1999 (Diving accessories. Combined buoyancy and rescue devices. Functional and safety requirements, test methods)

Division 3 Miscellaneous equipment for particular personal watercraft

18 Safety equipment for particular personal watercraft

- (1) A recreational ship mentioned in section 60(2)(i) of the regulation that is a personal watercraft should be equipped with—
- (a) a PFD for the operator of, and each passenger on, the watercraft; and
 - (b) if the personal watercraft is operating in or beyond partially smooth waters—
 - (i) a V sheet; and

- (ii) 2 handheld red flares; and
 - (iii) 2 handheld orange smoke signals.
- (2) For subsection (1)(a), if the operator of, or a passenger on, the personal watercraft is not wearing a PFD with which the personal watercraft is equipped, the personal watercraft is taken not to be equipped with the PFD.
- (3) Subsection (1)(b) does not apply to a recreational ship that is a personal watercraft operating—
- (a) under an aquatic event authority; or
 - (b) beyond partially smooth waters within 0.5 nautical miles from land.
- (4) The flares and signals mentioned in subsection (1)(b)(ii) and (iii) should conform to—
- (a) the USL code; or
 - (b) SOLAS; or
 - (c) AS 2092—2004.
- (5) In this section—

PFD means—

- (a) if the watercraft is operating in smooth waters—a PFD type 2 or 3; or
- (b) if the watercraft is operating in partially smooth waters or beyond—a PFD type 2.

SOLAS see schedule 15 of the regulation.

USL code see schedule 15 of the regulation.

V sheet see schedule 15 of the regulation.

Division 4 Servicing or replacing safety equipment

19 Safety equipment to be serviced or replaced

- (1) This section applies if a recreational ship's safety equipment under section 15, 16 or 18 has an expiry date by which it should be serviced or replaced.
- (2) The ship is taken not to be equipped with safety equipment under section 15, 16 or 18 unless the equipment has been serviced or replaced before the expiry date.

Part 4 Repeal and references to former standards

20 Repeal

The Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Interim Standard (No. 2) 2005 SL No. 183 is repealed.

21 References to former standards

- (1) In a document or instrument a reference to the following standards may, if the context permits, be taken to be a reference to this standard—
 - *Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 1998*
 - *Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Interim Standard 2005.*
 - *Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Interim Standard (No. 2) 2005.*

- (2) Subsection (1) does not limit the application of the *Acts Interpretation Act 1954*, section 14H.

Editor's note—

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

Schedule Dictionary

section 3

aquatic event authority see schedule 15 of the regulation.

partially smooth waters see schedule 15 of the regulation.

personal watercraft see schedule 15 of the regulation.

recreational ship see schedule 15 of the regulation.

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

smooth waters see schedule 15 of the regulation.

1 Index to endnotes

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

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 January 2012. Future amendments of the **Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 2006** 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	

Key	Explanation	Key	Explanation
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	
notf	= notified	rv	= revised edition
d			
num	= numbered	s	= section
o in	= order in council	sch	= schedule
c			
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnu	= unnumbered
		m	
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	1 March 2006	
1A	2011 SL No. 275	1 January 2012	

5 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Standard 2006 SL No. 19

made by the general manager on 22 December 2005
notfd gaz 24 February 2006 pp 798–801
ss 1–2 commenced on date of notification
remaining provisions commenced 1 March 2006 (see s 2)
exp 1 September 2016 (see SIA s 54)

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

Transport Operations (Marine Safety—Recreational Ships Miscellaneous Equipment) Amendment Standard (No. 1) 2011 SL No. 275

notfd gaz 9 December 2011 pp 729–35
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2012 (see s 2)

6 List of annotations

Division 1—Application of pt 2

div hdg ins 2011 SL No. 275 s 4

Application of pt 2

s 5 amd 2011 SL No. 275 s 5

Division 2—Recreational ships other than personal watercraft

div hdg ins 2011 SL No. 275 s 6

Application of div 2

s 5A ins 2011 SL No. 275 s 6

Equipment to be in working order

s 11 amd 2011 SL No. 275 s 7

Division 3—Recreational ships that are personal watercraft

div hdg ins 2011 SL No. 275 s 8

Application of div 3

s **11A** ins 2011 SL No. 275 s 8

Navigation

s **11B** ins 2011 SL No. 275 s 8

Anchoring

s **11C** ins 2011 SL No. 275 s 8

Drinking water

s **11D** ins 2011 SL No. 275 s 8

Equipment to be in working order

s **11E** ins 2011 SL No. 275 s 8

Safety equipment for particular personal watercraft

s **18** amd 2011 SL No. 275 s 9

SCHEDULE—DICTIONARY

def *aquatic event authority* ins 2011 SL No 275 s 10

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