



Queensland

# Transport Operations (Marine Safety) Amendment Regulation (No. 5) 2008

## Subordinate Legislation 2008 No. 399

made under the

*Transport Operations (Marine Safety) Act 1994*

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[s 1]

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**1 Short title**

This regulation may be cited as the *Transport Operations (Marine Safety) Amendment Regulation (No. 5) 2008*.

**2 Regulation amended**

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

**3 Amendment of s 140 (Reporting requirements for ship with dangerous cargo)**

(1) Section 140(2), ‘in the approved form and’—

*omit.*

(2) After section 140(2)—

*insert—*

*‘Editor’s note—*

See also section 240.’

(3) Section 140—

*insert—*

‘(4A) The report under subsection (2) must be made—

(a) if an event to be reported is to happen in a pilotage area other than the Brisbane pilotage area or the Bundaberg pilotage area—in the approved form to the harbour master of the pilotage area; or

(b) if an event to be reported is to happen in the Brisbane pilotage area or the Bundaberg pilotage area—

(i) in relation to the information mentioned in subsection (2)(a) and (b), other than DGTrac information—in the approved form to the harbour master of the pilotage area; and

(ii) in relation to DGTrac information—to the DGTrac system; or

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- (c) if the event is to happen outside a pilotage area—in the approved form to the general manager.
- ‘(4B) The report under subsection (3) must be made—
- (a) if an event to be reported is to happen in a pilotage area—in the approved form to the harbour master of the pilotage area; or
- (b) if an event to be reported is to happen outside a pilotage area—in the approved form to the general manager.’.
- (4) Section 140(5)(e)(ii), ‘or (7)’—  
*omit.*
- (5) Section 140(6) and (7)—  
*omit.*
- (6) Section 140(4A) to (5)—  
*renumber* as section 140(5) to (7).
- (7) Section 140(10)—  
*insert—*

**‘DGTrac information** means the information mentioned in AS 3846—2005, section 3, clause 3.3, paragraphs (d) to (k) and clause 3.4, paragraphs (d) to (h).

**DGTrac system** means an electronic system operated by the Port of Brisbane Corporation Limited that is used for the reporting of dangerous goods and dangerous cargo carried by ships in the Brisbane pilotage area and the Bundaberg pilotage area.

**Port of Brisbane Corporation Limited** means the Port of Brisbane Corporation Limited ACN 124 048 522.’.

#### 4 Insertion of new s 240

After section 239—  
*insert—*

[s 4]

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**‘240 Transitional provision for the Transport Operations  
(Marine Safety) Amendment Regulation (No. 5) 2008**

- ‘(1) This section applies if—
- (a) a form was approved by the chief executive for use for the making of a report under section 140(2) before the commencement of this section; and
  - (b) the form was in force immediately before the commencement of this section; and
  - (c) but for the commencement of this section, a report under section 140(2) would be required to be made under the DGTrac system.
- ‘(2) A person who is the owner or the master of a ship mentioned in section 140(1)(a) or (b) may continue to use the approved form mentioned in section 140(2) and make a report of the matters mentioned in section 140(2)(b) in the way required under section 140 for a period of 3 months from the commencement of this section.’

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ENDNOTES

- 1 Made by the Governor in Council on 4 December 2008.
- 2 Notified in the gazette on 5 December 2008.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport.

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