



Queensland

Transport Operations (Marine Safety— Queensland Regulated Ships Miscellaneous Equipment) Standard 2017

Subordinate Legislation 2017 No. 171

made under the

Transport Operations (Marine Safety) Act 1994

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 Queensland regulated ships	
Division 1	Application of part	
5	Application of part	3
Division 2	Queensland regulated ships other than personal watercraft	
6	Application of division	4
7	Navigation	4
8	Anchoring	4
9	Bailing	5
10	Auxiliary way of propulsion	5
11	Drinking water	5
12	Equipment in good working order	6
Division 3	Queensland regulated ships that are personal watercraft	
13	Application of division	6
14	Navigation	6

Contents

15	Anchoring	6
16	Drinking water	7
17	Equipment in good working order	7
Part 3	Miscellaneous equipment for particular Queensland regulated ships that do not require registration	
Division 1	Miscellaneous equipment for particular Queensland regulated ships other than particular personal watercraft	
18	Application of division	7
19	Safety equipment in smooth waters	8
20	Safety equipment in or beyond partially smooth waters	8
Division 2	Miscellaneous equipment for particular personal watercraft	
21	Safety equipment for particular personal watercraft	9
Division 3	Required lifejackets	
22	Application of division	10
23	What is the required lifejacket for a ship	10
Division 4	Servicing or replacing safety equipment	
24	Safety equipment to be serviced or replaced	11
Part 4	References to former standards	
25	References to former standards	11
Part 5	Transitional provision	
26	Application of provision about personal flotation devices under 2004 regulation	12
Schedule 1	Dictionary	13

Part 1 Preliminary

1 Short title

This standard may be cited as the *Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2017*.

2 Commencement

This standard commences on 1 September 2017.

3 Dictionary

The dictionary in schedule 1 defines particular words used in this standard.

4 Purpose of standard

The purpose of this standard is to help people to understand the general safety obligation for Queensland regulated ships under section 41 of the Act.

Part 2 Miscellaneous equipment for all Queensland regulated ships

Division 1 Application of part

5 Application of part

This part applies to a Queensland regulated ship, whether or not the ship is required to be registered under chapter 3, part 1 of the regulation.

Division 2 **Queensland regulated ships other than personal watercraft**

6 **Application of division**

This division applies to a Queensland regulated ship other than a personal watercraft.

7 **Navigation**

A Queensland regulated 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.

8 **Anchoring**

- (1) A Queensland regulated 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.

9 Bailing

A Queensland regulated ship should be equipped with—

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

10 Auxiliary way of propulsion

- (1) A Queensland regulated ship less than 6m should be equipped with a way of manually propelling the ship.

Examples—

oars, paddles

- (2) However, subsection (1) does not apply if the ship is equipped with an auxiliary way of propulsion, whether mechanical or otherwise.

Examples of an auxiliary way of propulsion—

additional motor, sails

11 Drinking water

A Queensland regulated ship should be equipped with enough drinking water for all persons on board for the duration of the intended voyage.

12 Equipment in good working order

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

Division 3 Queensland regulated ships that are personal watercraft

13 Application of division

This division applies to a Queensland regulated ship that is a personal watercraft when operating in or beyond partially smooth waters, other than a personal watercraft operating—

- (a) as part of an aquatic event held in accordance with an aquatic event authority; or
- (b) beyond partially smooth waters and within 0.5n mile from land.

14 Navigation

A Queensland regulated 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.

15 Anchoring

- (1) A Queensland regulated ship that is a personal watercraft should be equipped with an anchor with a cable.
- (2) The type and weight of the 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.

16 Drinking water

A Queensland regulated ship that is a personal watercraft should be equipped with enough drinking water for all persons on board for the duration of the intended voyage.

17 Equipment in good working order

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

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

Division 1 Miscellaneous equipment for particular Queensland regulated ships other than particular personal watercraft

18 Application of division

- (1) This division applies to a Queensland regulated ship mentioned in section 26(2)(a) or (c) of the regulation.
- (2) However, this division does not apply to a Queensland regulated ship mentioned in section 26(2)(c) of the regulation if the ship is a personal watercraft.

19 Safety equipment in smooth waters

- (1) A Queensland regulated ship operating in smooth waters should be equipped with—
 - (a) a required lifejacket for each individual on board who is 1 year or more; and
 - (b) if the ship is more than 5m—firefighting equipment capable of extinguishing a 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 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 level flotation.
- (3) Despite subsection (1)(a), a tender operating in smooth waters is not required to be equipped with a required lifejacket for each individual on board who is 1 year or more 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 level flotation.
- (4) In this section—

level flotation, for a ship, see schedule 9 of the regulation.

20 Safety equipment in or beyond partially smooth waters

A Queensland regulated ship operating in or beyond partially smooth waters should be equipped with—

- (a) a required lifejacket for each individual on board who is 1 year or more; and
- (b) a V sheet; and

- (c) 2 compliant handheld red flares; and
- (d) 2 compliant handheld orange smoke signals; and
- (e) if the ship is more than 5m—firefighting equipment capable of extinguishing a fire on the ship quickly and effectively.

Division 2 Miscellaneous equipment for particular personal watercraft

21 Safety equipment for particular personal watercraft

- (1) A Queensland regulated ship mentioned in section 26(2)(c) of the regulation that is a personal watercraft should be equipped with—
 - (a) a required lifejacket for each individual on the watercraft who is 1 year or more; and
 - (b) if the personal watercraft is operating in or beyond partially smooth waters—
 - (i) a V sheet; and
 - (ii) 2 compliant handheld red flares; and
 - (iii) 2 compliant handheld orange smoke signals.
- (2) For subsection (1)(a), if an individual on the personal watercraft is not wearing the required lifejacket for the individual with which the watercraft is equipped, the watercraft is taken not to be equipped with the lifejacket.
- (3) Subsection (1)(b) does not apply to a Queensland regulated ship that is a personal watercraft operating—
 - (a) as part of an aquatic event held in accordance with an aquatic event authority; or
 - (b) beyond partially smooth waters and within 0.5n mile from land.

Division 3 Required lifejackets

22 Application of division

This division applies if, under this standard, a Queensland regulated ship should be equipped with a required lifejacket for each individual on board who is 1 year or more.

23 What is the *required lifejacket* for a ship

(1) The *required lifejacket* for an individual on board a ship is a lifejacket of an appropriate size for the individual of the following type—

- (a) for a ship, other than a personal watercraft, operating in smooth waters—a lifejacket level 100, 50 or 50S or a compliant inflatable diver's jacket;
- (b) for a ship, other than a personal watercraft, operating in or beyond partially smooth waters—
 - (i) if the ship is operating in partially smooth waters—a lifejacket level 100 or 50 or a compliant inflatable diver's jacket; or
 - (ii) if the ship is operating beyond partially smooth waters—a lifejacket level 100 or a compliant inflatable diver's jacket;
- (c) for a personal watercraft—
 - (i) if the personal watercraft is operating in smooth waters—a lifejacket level 100, 50 or 50S; or
 - (ii) if the personal watercraft is operating in or beyond partially smooth waters—a lifejacket level 100 or 50.

(2) In this section—

compliant inflatable diver's jacket see schedule 9 of the regulation.

lifejacket see schedule 9 of the regulation.

lifejacket level 50 see schedule 9 of the regulation.

lifejacket level 50S see schedule 9 of the regulation.

lifejacket level 100 see schedule 9 of the regulation.

Division 4 Servicing or replacing safety equipment

24 Safety equipment to be serviced or replaced

- (1) This section applies if a Queensland regulated ship's safety equipment has an expiry date by which it should be serviced or replaced.
- (2) The ship is taken to be equipped with safety equipment only if the equipment has been serviced or replaced before the expiry date.

Part 4 References to former standards

25 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*
 - *Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2006.*

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

Part 5 Transitional provision

26 Application of provision about personal flotation devices under 2004 regulation

- (1) The transitional provision continues to apply except that—
- (a) a reference in the transitional provision to the commencement is taken to be a reference to the commencement of the regulation; and
 - (b) a reference in the transitional provision to the unamended standard is taken to be a reference to the *Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2006* as in force before the commencement of the regulation; and
 - (c) a reference in the transitional provision to this standard is taken to be a reference to the *Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2006* as in force before the commencement.
- (2) In this section—
- transitional provision*** means the *Transport Operations (Marine Safety—Queensland Regulated Ships Miscellaneous Equipment) Standard 2006*, section 22 as in force before the commencement.

Schedule 1 Dictionary

section 3

aquatic event see schedule 9 of the regulation.

aquatic event authority see schedule 9 of the regulation.

compliant, for a handheld red flare or orange smoke signal, see schedule 9 of the regulation.

partially smooth waters see schedule 9 of the regulation.

Queensland regulated ship see section 10A of the Act.

regulation means the *Transport Operations (Marine Safety) Regulation 2016*.

required lifejacket, for an individual on board a ship, see section 23.

safety equipment means equipment with which a ship should be equipped under section 19, 20 or 21.

smooth waters see schedule 9 of the regulation.

V sheet see schedule 9 of the regulation.

ENDNOTES

- 1 Made by the general manager on 2 June 2017.
- 2 Approved by the Governor in Council on 24 August 2017.
- 3 Notified on the Queensland legislation website on 25 August 2017.
- 4 The administering agency is the Department of Transport and Main Roads.

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