



Transport Operations (Marine Safety) Act 1994

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

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Queensland

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

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

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

- (1) 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.
- (2) For subsection (1)(a), a Queensland regulated ship is taken not to be equipped with a required lifejacket for an individual on board who is 1 year or more while the ship is crossing a coastal bar if—
 - (a) for a Queensland regulated ship that is an open boat—the individual is not wearing the required lifejacket for the individual; or

- (b) for another Queensland regulated ship—the individual is occupying an open area of the ship and is not wearing the required lifejacket for the individual.
- (3) In this section—
 - coastal bar* see section 24(6) of the regulation.
 - open area* see section 24(6) of the regulation.
 - open boat* see section 24(6) of the regulation.

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—
 - (i) a compliant inflatable diver’s jacket; or
 - (ii) a lifejacket level 50; or
 - (iii) a lifejacket level 50S; or
 - (iv) a lifejacket level 100;
 - (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) a compliant inflatable diver’s jacket; or
 - (B) a lifejacket level 50; or
 - (C) a lifejacket level 100; 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) a lifejacket level 50; or
 - (B) a lifejacket level 50S; or
 - (C) a lifejacket level 100; or
 - (ii) if the personal watercraft is operating in or beyond partially smooth waters—a lifejacket level 50 or lifejacket level 100.
- (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; and
 - (d) a reference in the transitional provision to the end of the personal flotation device’s serviceable life is taken to be a reference to the end of the personal flotation device’s serviceable life or 1 September 2025, whichever is sooner.
- (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.