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## Response to consultation on the near coastal qualifications review and proposed Marine Order 505 (Certificates of competency - national law) 2019

The Australian Marine Sciences Association (AMSA) welcomes the opportunity to comment on the proposed Marine Order 505. The Australian Marine Sciences Association is the largest professional association of marine scientists in Australia with more than 700 professional and student members from all Australian states and territories, and working in a variety of sectors. AMSA actively promotes the advancement of marine sciences in Australia and provides evidence-based scientific advice and support to matters of national and global interest.

The Australian marine science research and education sector makes frequent use of small domestic commercial vessels for research and teaching purposes. Universities, museums, environmental managers and government agencies operate small vessels in near coastal and inland waters around Australia including the Great Barrier Reef Region, the Torres Strait and in defined smooth or partially smooth waters. Capacity to do so is critical to marine research and educational programs around Australia.

The Australian Marine Sciences Association requests that AMSA Exemption 15 be retained in line with Exemptions 14, 16 & 17.

### **Question 1 : Is the draft Marine Order 505 easy to understand?**

The draft Marine Order 505 is easy to understand except the following point which requires clarification. In defining the duties of a Coxswain grade 3 NC, there is some confusion in Schedule 1 whether the requirement '(d) in daylight hours only' applies to vessels <12m long that are used for towing people or all vessels <12 m long.

### **Question 2 : Are there any sections that are not clear ?**

The term 'shore' is not defined but the term is used to regulate where scientists can use a vessel with a particular certificate. It is important to clarify 'shore' as many islands around the Australian coast are more than 1 nm from the mainland but serve as a base for operations. If 'shore' is defined as the Australian mainland there are many islands that could not serve as a base for operations for a Coxswain 3NC. Under Exemption 15

research operations are permitted in smooth and partially smooth waters. Most research institutions control the area of operations for vessels under the Safe Management System (SMS) or Certificate of Operations for each vessel according to the risks posed by operations in their local area. Furthermore operating a vessel 1nm from shore exposes the vessel to surf zones, reefs and other structures which the master of a vessel should plan to avoid.

We recommend that the area of operations for a Coxswain 3 NC be defined according to sea state and conditions as in Exemption 15.

**Question 3 : Do you agree that an application for a new Certificate of Competency should include the requirement to hold a first-aid certificate ?**

Yes - but there must be provision for recognition of international first aid qualifications held by visiting researchers.

**Question 4 : Do you think a medical fitness certificate for a new issue and self-declaration of medical fitness for renewal is appropriate for the lower grade certificates?**

We recommend that a self declaration of medical fitness is appropriate for the lower grade certificate in line with the requirements for a driver's licence.

**Question 5 : Do you think the eligibility requirements and duties for a Coxswain Grade 3 near coastal appropriate ?**

Exemption 15 provides more workable requirements and duties for the research and education sector than a Coxswain 3NC as proposed. Some use and requirements for our sector fall between Coxswain 3 NC and Coxswain 2 NC. University and other research operators impose eligibility requirements as appropriate to their operations, such as launching and retrieving vessels at a boat ramp, but this is not a universal requirement.

It is important that international boat licences held by researchers visiting from overseas are recognised.

**Question 6 : Do you think a recreational boat licence is sufficient for a Coxswain Grade 3 near coastal?**

Generally yes - but we note that the requirements for recreational boat licences differ between states. We would strongly support the adoption of uniform standards and the requirement for practical assessment.

**Question 7 : Do you wish to comment on any other aspects of the order?**

- The current provision for Exemption 15 has allowed cost-effective scientific research and education to be safely performed by Australian and international researchers.
- The Estimated Annual Regulatory costs are an underestimate of the costs for professional staff to attend courses and medicals. The costs and time would be prohibitive for marine research students.

- Unless exemption 15 is retained the transitional time for upgrading certifications is unreasonably short for operators wanting to upgrade to levels beyond Coxswain Grade 3NC given the requirements and duration of courses. Transitional arrangements should recognise that for scientific research and educational institutions vessel operations may only be a fraction of the work requirements for their positions and allow significantly more time.
- We note that the industry reference group does not include representation from scientific research and education stakeholders. The proposed changes would have a significant impact on our industry and we suggest that our industry group be included in the reference group. The Australian Marine Sciences Association Inc., would be an appropriate body to represent the research and education sector on the industry reference group.