Boating Safety Procedure

Section 1 - Purpose and Scope

(1) This Procedure outlines The University of Queensland's (UQ) requirements for the operation and crewing of domestic commercial vessels and supports UQ's Health, Safety and Wellness Policy. It applies to all UQ workers engaged as master, crew or special personnel on domestic commercial vessels in fieldwork, research, teaching, learning, instruction or other work at off campus locations which may or may not be registered as UQ workplaces, and where UQ is responsible for the safety of its workers and those exposed to their activities. This Procedure should be read in conjunction with the Boating Safety - Supporting Document where further details can be found.

(2) This Procedure does not apply to:

a. the operation of UQ owned vessels engaged by third parties undertaking work for their own purposes if they have their own equivalent procedures in place;
b. vessels that are not domestic commercial vessels; or
c. persons who are aboard a domestic commercial vessel as a passenger.

Context

(3) UQ has a legal obligation under the Work Health and Safety Act 2011 (Qld) (WHS Act) and the Work Health and Safety Regulation 2011 (Qld) (WHS Regulation), to ensure as far as reasonability practicable, the health and safety of persons in the workplace or where work is undertaken. Further, that UQ meets its obligations under the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth) and the Transport Operations (Marine Pollution) Act 1995 (Qld).

Section 2 - Process and Key Controls

(4) Any vessels used for research or educational activities wholly within the Australian economic exclusion zone is a domestic commercial vessel under the Marine Safety (Domestic Commercial Vessel) National Law Act 2012 (Cth) and must comply with all relevant requirements of the Act and related legislation.

(5) A risk management process must be applied to the tasks to be undertaken, the vessels and the vessel's routine and emergency procedures.

(6) Domestic commercial vessels used by UQ must:

a. be operated under a current certificate of operation;
b. have a current certificate of survey or exemption from survey; and
c. be operated as per the safety management system.

(7) The following controls must be considered in the planning and conduct of vessel operations:

a. the vessel is fit for the work being undertaken;
b. the vessel is constructed and maintained to relevant standards;

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c. adequate resourcing of boating operations;
d. the master and crew hold the appropriate certificates of competency or licences to operate the vessel;
e. emergency planning and readiness.

Section 3 - Key Requirements

Prior to Operation of a Vessel

(8) The vessel chosen for research or educational purpose must be suitable for the task, requirements and conditions. This will include a risk assessment of the task to be undertaken, completed in UQSafe, so as the most appropriate vessel can be selected.

(9) Once the vessel has been chosen and prior to its use, the supervisor must undertake due diligence to ensure the vessel has the appropriate documentation and competency are current for the master and crew. Refer to the Boating Safety - Supporting Document.

Requirements for Engine Powered Domestic Commercial Vessels

Certificate of Operation

(10) A certificate of operation sets out the conditions under which a domestic commercial vessel, or fleet of vessels, must operate. This will include the vessels used in the operation, how and where the vessels can operate, and other conditions the Australian Maritime Safety Authority (AMSA) considers necessary due to the nature of either a vessel or an operation.

(11) The vessel must be operated within the limits and conditions set by the certificate of operation.

Certificate of Survey or Non-survey Vessel Exemption

(12) A certificate of survey or non-survey vessel exemption allows the vessel to operate commercially in Australia and will identify:

a. the service categories the vessel can be used in (AMSA Vessel Classes and Service Categories);
b. the number of crew, passengers and special personnel that can be carried; and
c. any other conditions specific to the vessel.

National Standard for Commercial Vessels

(13) New (built or commissioned after 30 June 2013) and existing domestic commercial vessels must comply with all relevant sections of the National Standard for Commercial Vessels.

Requirements for Human Powered Domestic Commercial Vessels

(14) Domestic commercial vessels that are human powered (e.g. kayaks, canoes) must, as a minimum carry a:

a. Level 50 personal floatation device (PFD) for each person in sheltered waters, or
b. Level 100 PFD for each person beyond sheltered waters; and
c. bilge pump or bailer unless the vessel is completely self-draining.

(15) Human powered domestic commercial vessels are required to be approved by a designated person prior to use.

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Crewing

Factors Determining Appropriate Crew

(16) Appropriate crewing is the number of certified or uncertified personnel that are needed to safely operate a vessel.

(17) The appropriate crew, including minimum crew, for general operations must be stated in the vessel's safety management system. Minimum crewing is given in Marine Order 504 Schedule 1. For vessels under 12 metres in length, the minimum crew is one person who holds the competency to act as the vessel's master. For most circumstances, the vessel should be operated with two or more persons aboard.

(18) The appropriate crewing that has been determined for each kind of operation the vessel performs, the environment the vessel operates in and all the people on or near the vessel. This must be recorded in the vessel's safety management system. Specifically, during diving operations, a diver cannot act as 'crew' due to the inability to perform the initial surface emergency requirements.

Minimum Qualifications

(19) A person must hold qualifications to perform the duties required on a vessel in Australian waters. Most qualifications require the person to be at least 16 years old and meet medical, sea service and course requirements.

(20) Master:

a. Hold either a current certificate of competency issued by AMSA for the vessel length, engines, and area of operation (see National Standard for Commercial Vessels Part D Schedule 2 for detail), OR hold a valid recreational marine driver's license if the vessel is operating under AMSA exemption 15; and
b. hold a current first aid and CPR qualification; and
c. hold a valid certificate of proficiency for the vessel's marine radio equipment if marine radio equipment is fitted.

(21) Crew:

a. Must be inducted and trained as per the vessel's safety management system; and
b. hold a current first aid and CPR qualification.

(22) Special Personnel:

a. Must be inducted and trained as per the vessel's safety management system.

Marine Safety (Scientific research and educational activities) Exemption 2017, (AMSA exemption 15)

(23) Where the vessel is being operated under AMSA exemption 15, the master of the ship must comply with clause 20a of this Procedure.

(24) The minimum appropriate crew should be one master and one special personnel.

(25) The exemption applies to domestic commercial vessels less than 7.5m in measured length, when:

a. used solely for scientific research or educational purpose; and
b. operated in The Great Barrier Reef Region, the Torres Strait, in smooth or partially smooth waters, or in waters specified in the vessel's certificate of operation.

(26) This exemption is due to expire on 30 June 2025.

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Risk Management

Vessel Safety Management System

(27) A safety management system is a systematic approach to managing safety by following established policies and procedures to ensure the safety of the vessel and the people on board.

(28) All domestic commercial vessels must have a safety management system that demonstrates how the vessel meets the mandatory general safety duties. The vessel must be operated as per its safety management system and must be based on a risk assessment of the operations.

(29) Information regarding the requirements for a safety management system are available on the AMSA website.

(30) Supervisors must ensure that risk assessments for any planned activity utilising a domestic commercial vessel are completed in consultation with the vessel's owner and master. A designated person may act for the owner for the purposes of risk management consultation. Risk assessments for the planned activity must be available on the vessel and completed in UQSafe.

(31) Vessel masters must ensure that crew and special personnel have completed any relevant training in the timeframe required by the safety management system.

Voyage Procedures / Work Off-Campus and Fieldwork Procedure

(32) For UQ owned or operated vessels, the voyage procedures must consist of:

a. A work off-campus plan as per Work Off-Campus Procedure unless the operation is solely on a UQ campus (e.g. work on the St Lucia lakes).
b. Completed risk assessments in UQSafe for the work being undertaken as per the Health and Safety Risk Assessment Procedure.
c. Pre-departure checks including checks of the safety gear.
d. Safety briefing given to all persons onboard.
e. Voyage details lodged with an appropriate shore party or as per the communication plan contained within the work off-campus plan (e.g. research station, volunteer marine rescue, Coast Guard or other person).
f. Conduct voyage as per the vessel's operational requirements including:
    i. conduct any required emergency training
    ii. complete the vessel's log
    iii. complete any other records as required.
g. Log off with shore party on safe return to shore.

(33) Where a UQ owned vessel is being operated by a third party or for activities conducted by a third party, risk assessments may be completed as per that party’s procedures. Copies of any relevant risk assessments must be available on the vessel.

Moored Domestic Commercial Vessels

(34) It is the responsibility of the master of the vessel to ensure the safety for people boarding a moored vessel. Managing the risk of falls or injury on the vessel must be considered as part of the risk assessment and the Managing the risk of falls at workplaces - Code of Practice 2021 must be referred to.

Conditions for Mandatory Wearing of Life Jackets

(35) Life jackets (Level 150 PFD or greater level of protection) must be worn by all persons on open decked domestic

commercial vessels where:

a. the sea state is over 25% of the measured length of the vessel, or
b. the average wind speed exceeds 20 knots or Beaufort force 6, or
c. where indicated by the risk assessment.

Emergency Planning

(36) Emergency procedures must be documented for and provided to crew as part of induction training. Further information can be accessed through the AMSA website.

Incident Reporting

(37) A marine incident (as defined in Section 7) is defined by relevant Australian laws. All vessels involved in a marine incident in Australian waters must make a report. While there is a requirement to report marine incidents to the AMSA, the report must also be submitted in UQSafe. Reporting to the AMSA is a two-step process and must be completed by the Master and notification as soon as possible to the UQ Boating and Dive Officer:

a. Submit an incident alert:
   As soon as practicable after becoming aware of the incident, the incident alert form 18 must be completed by the master and submitted to AMSA. The form can be completed online or downloaded and emailed to reports@amsa.gov.au.
b. Submit an incident report:
   Within 72 hours after becoming aware of the incident, the master must complete the incident report form 19 and submit it to AMSA. The form can either be completed online or downloaded and emailed to reports@amsa.gov.au.

Section 4 - Roles, Responsibilities and Accountabilities

Executive Deans, Institute Directors and Centre Directors

(38) Where UQ boats are used with Faculties/Institute/Centres, the Executive Deans, Institute Directors and Centre Directors must ensure within their areas of responsibility:

a. the implementation and maintenance, of an effective system of management for boating safety consistent with this Procedure;
b. must allocate sufficient resources for safe operation of domestic commercial vessels, specifically budget allocation to ensure that vessels are upgraded and maintained as required;
c. have additional responsibility as owners where vessels are owned by their Organisational Unit; and
d. have appropriate trained and qualified people to undertake boating activities.

Heads of School and Organisational Units

(39) Heads of School and Organisational Units must ensure the boating operations undertaken by UQ workers within their area of responsibility:

a. comply with this Procedure;
b. risk assessments are completed;

c. safety management systems are in place, current and complete; and
d. vessels are maintained to ensure their operational safety.

Supervisors

(40) Supervisors must ensure that boating operations for people in their area of responsibility are conducted according to this Procedure.

(41) They must also ensure the following processes are completed during the vessel operations by UQ:

a. the vessel is operated as per the safety management system, including maintaining effective communications, monitoring of the weather, and practice of emergency drills; and
b. the ship's records (logbook, crew records, and crew inductions) are completed.

(42) Further, they must also ensure that:

a. the vessel is fit for its proposed use;
b. boating operations are effectively supervised onsite;
c. UQ workers are adequately trained and experienced;
d. risk assessments are completed, approved and relevant to the work being undertaken; and
e. plant and equipment including PPE is provided and adequately maintained.

UQ Workers

(43) UQ workers must ensure:

a. they take all reasonable care for their own and others' health and safety;
b. comply with this Procedure when participating in boating operations; and
c. co-operate with any reasonable request with regard to these boating procedures.

Master

(44) The master of a domestic commercial vessel must:

a. ensure the safety of the vessel, its safety equipment and operations; and
b. implement and comply with the vessel's safety management system.

(45) Duties of the master include ensuring:

a. completion of the vessel's pre-departure checks;
b. there is a list of all crew and special personnel and they have completed the vessel induction;
c. risk assessments have been completed for all key tasks to be undertaken by the master, crew and special personnel;
d. all crew have completed emergency procedure training at the frequency stated in the vessel's safety management system;
e. they have a zero blood alcohol content and notify their supervisor if they are using a drug that may impair their ability to carry out their duties safely as per the UQ Alcohol and Other Drugs Policy;
f. the vessel's records including the logbook, are completed as per the Supporting Document;
g. any injury, illness or near miss is reported to the owner through UQ Safe; and
h. the designated person, the owner, and UQ's Boating Officer are notified of any marine incident or notifiable

incident as soon as is practicable.

Designated Person

(46) The designated person for a domestic commercial vessel must:

a. monitor the vessel's operations and compliance with its safety management system, seaworthiness, safety equipment and report any deficiencies to the owner:
    i. where the owner of the vessel is UQ, deficiencies that cannot be immediately rectified should be reported in UQSafe; and
b. provide inductions for masters.

Owner

(47) An Owner of a domestic commercial vessel must ensure the safety of:

a. the vessel;
b. marine safety equipment that relates to the vessel; and
c. the operation of the vessel.

(48) An owner of a domestic commercial vessel must:

a. ensure the vessel has a current certificate of operation;
b. ensure the vessel has a current certificate of survey, if required;
c. provide or maintain the vessel so that the vessel is safe;
d. implement and maintain a safety management system that ensures the vessel and its operations are safe; and
e. provide such information, instruction, training or supervision to people on board the vessel as is necessary to ensure their safety.

Boating Officer

(49) The Boating Officer must:

a. act as the designated person for any vessel in their custody;
b. as the designated person, they must conduct regular desktop audits of logbooks, crew and training records to ensure that records are complete; and
c. ensure any incomplete records are to be reported to the Owner.

Crew

(50) A crew member of a domestic commercial vessel must:

a. comply with any reasonable and lawful directions of the master of the vessel or a supervisor; and
b. ensure that they have a zero blood alcohol content and notify the master and their supervisor if they are using a drug that may impair their ability to carry out their duties safely as per the UQ Alcohol and Other Drugs Policy.

(51) Duties of crew members include:

a. completing the vessel induction with the master or designated person; and
b. completing the vessel's emergency procedure training at the frequency stated in the vessel's safety

management system.

(52) A member of the crew of a domestic commercial vessel must not interfere with, or misuse, anything provided on the vessel in the interests of the safety of the vessel.

Special Personnel

(53) Special personnel of a domestic commercial vessel must comply with any reasonable and lawful directions of the master of the vessel or a supervisor.

(54) Duties of special personnel include completing the vessel induction and training as specified by the vessel safety management system with the master or designated person.

(55) Special personnel of a domestic commercial vessel must not interfere with or misuse anything provided on the vessel in the interests of the safety of the vessel.

Section 5 - Monitoring, Review and Assurance

(56) Supervisors and managers where boating operations form part of their responsibilities will monitor and review operational activities, risks and controls associated with domestic commercial vessel operation. Monitoring and reviews performed at this level will be facilitated by Boating and Diving Officer and is generally embedded in the routine processes, procedures and activities of front-line operating management.

(57) The Health, Safety and Wellness Division will periodically monitor and review this Procedure to ensure it remains current and relevant with advice from the Boating and Diving Officer.

(58) Where a work off-campus plan that includes boating is in development prior to supervisor approval, the relevant Boating Officer should be invited to conduct a peer review of the work plan and relevant risk assessments.

Section 6 - Recording and Reporting

(59) Supervisors, local Health, Safety and Wellness Managers, and Work Health and Safety Coordinators, and/or designated persons must report non-compliance with this Procedure to their supervisor or manager. All incidents must be reported in UQSafe. All off campus work plans must be recorded in UQSafe.

Crew Details

(60) The crew list, as required under the duties of the master, must be kept up to date, including if the voyage includes a change of crew – details can be found in the Boating Safety - Supporting Document.

(61) Crew records must be readily accessible. Where crew or special personal are UQ workers, UQ’s human capital management system retains their details. Contact should be made through the relevant Human Resources Business Partner should this information be required.

Training

(62) Records of training must be completed by the person overseeing the training (designated person, master or owner) and retained with the logbook by the designated person.

Logbook

(63) The format for the logbook must be specified in the vessel’s safety management system. The logbook for a vessel

may be kept on board or on land. Details of what must be included in the logbook can be found in the Boating Safety - Supporting Document.

(64) Entries in logbooks must be maintained for five years by the designated person.

Section 7 - Appendix

Definitions

Term	Definition
Australian Maritime Safety Authority (AMSA)	Australia's national agency responsible for maritime safety, protection of the marine environment, and maritime aviation search and rescue.
Certificate of Operation	A certificate issued under section 48 of the Marine Safety (Domestic Commercial Vessel) National Law Act 2012.
Crew	Means individuals employed or engaged in any capacity on board the vessel on the business of the vessel, other than the master of the vessel or a pilot.
Designated Person	The person designated by the owner to be responsible for monitoring the safety and pollution prevention of the vessel and ensuring appropriate resources are provided.
Domestic Commercial Vessel	A vessel that is for use in connection with a commercial, governmental or research activity operating in Australian territorial waters that is not owned by a primary or secondary school, a community group or not for profit sporting association. Vessels operating under the Navigation Act 2012 (Cth) are not domestic commercial vessels.
Master	The person who has command or charge of the vessel but does not include a pilot.
Marine Incident	Means any of the following: • A death of, or injury to, a person associated with the operation or navigation of a domestic commercial vessel; • the loss or presumed loss of a domestic commercial vessel; • a collision of a domestic commercial vessel with another vessel; • a collision by a domestic commercial vessel with an object; • the grounding, sinking, flooding or capsizing of a domestic commercial vessel; • a fire on board a domestic commercial vessel; • a loss of stability of a domestic commercial vessel that affects the safety of the vessel; • the structural failure of a domestic commercial vessel; • a close quarters situation; • an event that results in, or could have resulted in: a. the death of, or injury to, a person on board a domestic commercial vessel, or b. the loss of a person from a domestic commercial vessel, or c. a domestic commercial vessel becoming disabled and requiring assistance. • the fouling or damaging by a domestic commercial vessel of: a. any pipeline or submarine cable, or b. any aid to navigation within the meaning of the Navigation Act 2012 (Cth); • a prescribed incident, for example a notifiable incident under the Work Health and Safety Act 2011 (Qld), involving a domestic commercial vessel.
Operate	Determine or exercise control over the course or direction of the vessel or over the means of propulsion of the vessel, whether or not the vessel is underway, or load or unload the vessel when it is moored or berthed.
Owner	Includes a person: • who has a legal or beneficial interest in the vessel, other than a mortgagee; and • with overall general control and management of the vessel. Further information pertaining to the meaning of owner under the National Law can be found in AMSA Guidance Notice 644, or contact the UQ Boating and Diving Officer.

Term	Definition
Passenger	For a vessel, means any person other than: • the master or a member of the crew; • special personnel; or • a person on board the vessel because of the master's obligation to carry shipwrecked or distressed persons or because of circumstances the master or owner could not prevent.
Personal Floatation Device (PFD)	Life jacket compliant with the relevant National Standard for Commercial Vessels.
Safety Management System	The document that specifies the operational requirements for the domestic commercial vessel.
Sheltered Waters	Navigable waters defined by state or territory legislation as being smooth or partially smooth waters.
Significant Alteration	The total mass of items added or removed is more than 4% of the displacement of the vessel before the alteration.
Special Personnel	For a vessel, means a person who is: • all of the following: a. not the master, a pilot or a member of the crew, b. not a passenger of the vessel, c. on the vessel to perform or assist the performance of the special work being carried out on board the vessel; or • an observer, trainee, person being coached or a coach; or • employed by or a volunteer for an emergency services organisation.
Unique vessel identifier (UVI)	A unique identifier that is issued by AMSA to each domestic commercial vessel unless the vessel is exempt (e.g. human powered vessels are exempt from having a UVI if they have a certificate of operation.
UQ workers	For the purposes of this Procedure includes: • staff - continuing, fixed-term, research (contingent funded) and casual staff; • contractors, subcontractors and consultants; • visiting academics and researchers; • academic title holders, visiting academics, emeritus professors, adjunct and honorary title-holders, industry fellows and conjoint appointments; • higher degree by research students; and • volunteers and students undertaking work experience.
Vessel	A craft for use, or that is capable of being used, in navigation by water, however propelled or moved, and includes an air-cushion vehicle, a barge, a lighter, a submersible, a ferry in chains and a wing-in-ground effect craft but does not include aircraft. This includes boats, canoes, dinghies, dragon boats, kayaks, pontoons (except when connected to the mainland) and tinnies. Unpowered inflatable rafts, paddleboards, floating structures connected permanently to shore, sailboards, and surf skis are not vessels.

Status and Details

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