

EXPLANATORY NOTES
Marine Orders, Part 55
(Publication of inspection data)
Issue 2
Order No 9 of 2004

Authority

1. Subsection 425(1) of the *Navigation Act 1912* (the Navigation Act) empowers the Governor-General to make regulations necessary or convenient for carrying out or giving effect to the Navigation Act.
2. Subsection 425(1AA) of the Act allows the Australian Maritime Safety Authority (AMSA) to make orders with respect to matters in Part IV of the Navigation Act in relation to which provision may be made by regulations.
3. Marine Orders, Part 55, Issue 2, was made pursuant to section 425(1AA).

Gazette

4. Arrangements have been made for this Issue to be gazetted in the Commonwealth of Australia Gazette, Government Notices, Wednesday, 6 October 2004.

Purpose

5. Marine Orders, Part 55, for the purpose of subsection 190AB of the Navigation Act, prescribes information that AMSA may publish about a ship and prescribes the manner of such publication.
6. Issue 2 of Part 55 repeals Issue 1 and has been made to incorporate particular prescribed information that AMSA may publish about a ship.

Consultation

7. AMSA has consulted with relevant AMSA managers, recognised class societies, the Australian Shipowners Association and Shipping Australia Limited and provided them the opportunity to comment on the draft text of Part 55, Issue 2. The draft text was also placed on the AMSA external website for public comments.

Overview

8. Marine Orders Part 55, Issue 1, came into operation on 15 September 1997. This Part has now been re-examined for purposes of a review program for Marine Orders.

9. Issue 2 of Marine Orders 55 has been made to incorporate the following prescribed information that AMSA may publish about a ship:
 - a ship's call sign;
 - the name of the company recorded on a ship's Safety Management Certificate;
 - name of authority responsible for the Safety Management Certificate of a ship;
 - whether identified deficiencies relate to matters within the responsibility of organisations or authorities that issued survey certificates or a Safety Management Certificate in respect of a ship;
 - detention of a ship, total period detained, and period of detention beyond the scheduled sailing time.

10. The format of Part 55, Issue 2, has also been modified to reflect current drafting standards.

Contents of the Order

11. **Provision 1** includes the new text arrangement that indicates the *Power* to make the Order in addition to the *Purpose* of the Order. Associated with this arrangement is the new reference to subsection 425(1AA) of the Navigation Act.
12. **Provision 2** provides definitions of words and phrases and **Provision 3** provides interpretations that are necessary for proper understanding of the Order.
13. **Provision 4** specifies the type of information to which this Part applies.
14. **Provision 5** specifies prescribed information that may be published, the prescribed manners of publication and when such publications may be made.

Australian Maritime Safety Authority
September 2004