



**Australian Government**  
**Australian Maritime Safety Authority**

# *MARINE ORDERS*

## *Part 55*

### *Publication of inspection data*

#### *Issue 2*

Order No.9 of 2004

Pursuant to subsection 425(1AA) of the *Navigation Act 1912*, I hereby make this Order repealing Marine Orders Part 55, Issue 1, and issuing the attached Marine Orders, Part 55, Issue 2, to come into operation on 13 October 2004.

Dianne Rimington  
Acting Chief Executive Officer  
28 September 2004

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### *Previous issues*

Issue 1, Order No. 7 of 1997

## 1 Purpose and power

### 1.1 Purpose

This Part of Marine Orders prescribes the information about a ship that AMSA may publish and the manner of such publication.

### 1.2 Power

Section 190AB of the *Navigation Act 1912* (Navigation Act) provides that AMSA may publish, in the manner prescribed, such information derived about a ship as is prescribed.

**1.3** Subsection 425(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to that Act. Subsection 425(1AA) provides that AMSA may make orders with respect to any matter in Part IV of the Navigation Act for or in relation to which provision may be made by regulation.

## 2 Definitions of words and phrases used in this Part

**AMSA** means the Australian Maritime Safety Authority established by the *Australian Maritime Safety Authority Act 1990*;

**IMO** means the International Maritime Organization;

**Navigation Act** means the *Navigation Act 1912*;

**Recognised Organisation** has the same meaning as *recognized organization* in Regulation 6 of Chapter I of SOLAS;

**Safety Management Certificate** means a certificate issued in accordance with Regulation 4.3 of Chapter IX of SOLAS;

**SOLAS** means the Safety Convention as defined in the Navigation Act.

## 3 Interpretation

In this Part:

- (a) headings and subheadings are part of the Part;
- (b) a footnote is not part of the Part, but may provide additional information or guidance in applying the Part.

## 4 Application

This Part applies to and in relation to information derived:

- (a) during an inspection or survey of that ship under section 190AA of the Navigation Act; or
- (b) during an inspection or survey of that ship conducted otherwise than under the Navigation Act: or
- (c) otherwise than by an inspection or survey.

## 5 Publication

### 5.1 Information that may be published

**5.1.1** For the purposes of section 190AB of the Navigation Act, the following information is prescribed information:

- (a) ship name;
- (b) IMO number;
- (c) call sign;
- (d) ship type;
- (e) name of Recognised Organisation or other organisation responsible for survey certificates in respect of the ship;
- (f) name of the company recorded on the ship's Safety Management Certificate;
- (g) name of authority responsible for the Safety Management Certificate in respect of the ship;
- (h) country of registration (flag state);
- (i) tonnage (gross, net or deadweight);
- (j) year of build;
- (k) cargo type;
- (l) owner/manager/charterer (according to information provided by the ship);
- (m) charter type (if applicable);
- (n) port and date of inspection;
- (o) port and date of previous port state control inspection;
- (p) date of last special survey;

- (q) details of deficiencies, including matters relating to crew welfare - details may include, where relevant, whether the deficiencies relate to matters within the responsibility of one or more of the organisations or authority referred to in (e) and (g);
- (r) action taken in respect of serious deficiencies;
- (s) detention of a ship, the total period of the detention and, if applicable, the period of detention beyond scheduled sailing time.

**5.1.2** Information may be published in original or aggregated form.<sup>1</sup>

**5.1.3** Information may be in the form of data, text, images, speech or any other form.

## **5.2 Manner of publication**

For the purposes of section 190AB of the Navigation Act, the following manners of publication are prescribed manners:

- (a) publication by electronic communication (including telephone, facsimile and internet);
- (b) publication in the form of paper, an article, material, or other data storage device; and
- (c) publication by any other manner.

## **5.3 Time of publication**

For the purposes of section 190AB of the Navigation Act, publication may be made at any time.

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<sup>1</sup> The most commonly published aggregated data relate to deficiencies, flag states, recognised organisations or similar organisations, and types of ships.