

EXPLANATORY NOTES
Marine Orders, Part 30
(Prevention of collisions)
Issue 8
Order No 5 of 2009

Purpose

1. Marine Orders Part 30 gives effect to the International Regulations for Preventing Collisions at Sea, 1972, and prescribes measures to be observed by ships for the prevention of collisions, and specifies lights and signals to be provided on a ship.

Power

2. Section 258 of the *Navigation Act* 1912 (the Navigation Act) provides that regulations may prescribe measures to be observed for the prevention of collisions and may make provision for or in relation to the provision and use on ships of lights and signals. The *Navigation (Collision) Regulations* 1982 specify that the measures to be observed for the prevention of collisions and the lights and signals to be provided and used on a ship are those in Part 30 of Marine Orders. Section 258 also provides that the regulations may make provision for and in relation to giving effect to the Prevention of Collisions Convention.
3. Subsection 425(1) of the Navigation Act empowers the Governor-General to make regulations necessary or convenient for carrying out or giving effect to the Navigation Act.
4. Subsection 425(1AA) of the Navigation Act allows the Australian Maritime Safety Authority (AMSA) to make orders with respect to any matters in Part IV of the Act for or in relation to which provision may be made by the regulations.
5. Marine Orders, Part 30, Issue 8, was made pursuant to subsection 425(1AA) of the Navigation Act.

Consultation

6. A copy of the draft of Part 30, Issue 8, was circulated to relevant AMSA managers, Shipping Australia Limited, all seven survey authorities (ABS, BV, ClassNK, CCS, DNV, GL and LR), Australian Shipowners Association, National Maritime Safety Committee, Ports Australia, Department of Infrastructure, Transport, Regional Development and Local Government and all State and Territory Maritime Authorities for comment. All comments were considered. A copy of the draft was also placed on the AMSA web site for public comment.

Overview

7. The Convention on the International Regulations for Preventing Collisions at Sea (COLREG), 1972 includes 38 rules divided into five sections: Part A - General; Part

B - Steering and Sailing; Part C - Lights and Shapes; Part D - Sound and Light signals; and Part E - Exemptions. There are also four Annexes containing technical requirements concerning lights and shapes and their positioning; sound signalling appliances; additional signals for fishing vessels when operating in close proximity, and international distress signals.

8. Marine Orders Part 30, Issue 8 gives effect to IMO resolution MSC.253(83) – Performance Standards for Navigation Lights, Navigation Light Controllers and Associated Equipment installed on Australian registered ships. The resolution requires that Navigation Lights, Navigation Light Controllers and Associated Equipment installed on or after 1 January 2009 conform to performance standards not inferior to those specified in the annex to the above resolution. Marine Orders Part 30, Issue 8 also gives effect to IMO resolution A.1004(25) which makes minor changes to COLREGS Annex IV – *Distress Signals*.
9. The opportunity has also been taken to update definitions and to replace footnotes to notes after the relevant provisions. This reflects current drafting practice and will enable future amendment of the text of a note to be easily identified and amended with minimal disruption to the Marine Order Part.

Contents of the Order

10. **Provision 1** indicates both the purpose of the Order and the power to make this Order, pursuant to the Navigation Act.
11. **Provision 2** provides a definition of words and phrases used in the Marine Order.
12. **Provision 3** provides an interpretation of the words and phrases necessary for a proper understanding of this Marine Order.
13. **Provision 4** specifies the ships to which Part 30 applies.
14. **Provision 5** provides for an internal review by the Deputy CEO of a decision made by the Manager, Ship Inspections. The provision also provides for a review by the Administrative Appeals Tribunal of the Deputy CEO's decision and for a statement of reasons to be provided by the Deputy CEO to an applicant in respect to his decision.
15. **Provision 6** for the purposes of the International Regulations (defined in Provision 2 of this Order), specifies requirements in respect to lights, shapes, and sound signal appliances for Australian-registered ships and provides for the issuing, renewal and revocation of a Certificate of Approval in respect to these requirements.
16. **Provision 7** for the purposes of the International Regulations, specifies requirements to be observed by ships in respect to the prevention of collisions, and provides for a determination to be made under Rule 1(e) of the International Regulations contained in the appendix of this Order. **Provision 7.3** requires navigation lights, navigation light controllers and associated equipment installed on an Australian registered ship on or after 1 December 2009 to conform to performance standards not inferior to those specified in the Annex to IMO resolution MSC.253(83).

17. The **Appendix** provides the International Regulations for Preventing Collisions at Sea, 1972.

Documents incorporated by reference

18.

- IMO's publication *Ship's Routing*;
- the *International Code of Signals*;
- the *Prevention of Collisions Convention*;
- the *International Regulations for Preventing Collisions at Sea, 1972*.

The above publications may be purchased from either:

the International Maritime Organization (IMO)
Albert Embankment, London SE1 7SR
phone + 44 -20 7735 7611
fax + 44 -20 7587 3210.
<http://www.imo.org>

Boat Books (Australia) Pty Ltd
(Head Office)
31 Albany Street, Crows Nest, Sydney NSW 2065
phone: +61 2 9439 1133
fax: +61 2 9439 8517
boatbook@boatbooks-aust.com.au
www.boatbooks-aust.com.au

Boat Books (Australia) Pty Ltd
214 St Kilda Road, St Kilda, Victoria 3182
phone: +61 3 9525 3444
fax: +61 3 9525 3355
Melbourne@boatbooks-aust.com.au
www.boatbooks-aust.com.au

Boat Books (Australia) Pty Ltd
109 Albert Street, Brisbane, QLD 4000
phone: +61 7 3229 6427
fax: +61 7 3221 9391
Brisbane@boatbooks-aust.com.au
www.boatbooks-aust.com.au

Haylock Maritime Pty Ltd
PO Box 154 Briar Hill Victoria 3088
phone: +61 3 9439 2780
fax: +61 3 9439 2785
haylock@bigpond.net.au
www.haylockmaritime.com.au

The Chart & Map Shop
14 Collie Street, Fremantle, WA 6160
phone: +61 8 9335 8665
fax: +61 3 9335 8865
info@chartandmapship.com.au
www.chartandmapshop.com.au

The Navigation Centre
147 Boundary Street, Townsville, QLD 4810
phone: +61 7 4772 1069
fax: +61 7 4772 1079
shop@thenavigationcentre.com.au
www.thenavigationcentre.com.au

Australian Maritime Safety Authority
October 2009