



GUIDANCE NOTICE

Marine Incident Reporting

Purpose

To guide you through your obligations for the reporting of Marine Incidents involving Domestic Commercial Vessels (DCV) in Australia.

Who

The *Marine Safety (Domestic Commercial Vessel) National Law Act 2012, Schedule 1* (National Law) requires that both the owner and master of a DCV that is involved in a marine incident report the incident within the time frames provided for by the National Law, to the National Regulator.

What

The National Law defines a Marine Incident as:

- a. a death of, or injury to, a person associated with the operation or navigation of a domestic commercial vessel;
- b. the loss or presumed loss of a domestic commercial vessel;
- c. a collision of a domestic commercial vessel with another vessel;
- d. a collision by a domestic commercial vessel with an object;
- e. the grounding, sinking, flooding or capsizing of a domestic commercial vessel;
- f. a fire on board a domestic commercial vessel;
- g. a loss of stability of a domestic commercial vessel that affects the safety of the vessel;
- h. the structural failure of a domestic commercial vessel;
- i. a close quarters situation;
- j. an event that results in, or could have resulted in:
 - i. the death of, or injury to, a person on board a domestic commercial vessel; or
 - ii. the loss of a person from a domestic commercial vessel; or
 - iii. a domestic commercial vessel becoming disabled and requiring assistance;
- k. the fouling or damaging by a domestic commercial vessel of:
 - i. any pipeline or submarine cable; or
 - ii. any aid to navigation within the meaning of the Navigation Act 2012 of the Commonwealth;
- l. a prescribed incident involving a domestic commercial vessel.

When

Initial Report:

All incidents that involve the following must be reported to the National Regulator as soon as reasonably practicable (initial report) after becoming aware of the incident. (Sections 88(1)(a) and 89(1)(a) of Schedule 1 of the National Law)

- the death of a person; or
- serious injury to a person; or
- the loss of a vessel; or
- the loss of a person from a vessel; or
- significant damage to a vessel.

When making an initial report of a marine incident the minimum details required for the report are:

- The incident details (date, time, location, type of incident and incident description explaining what happened);
- Details for vessel 1 (domestic commercial vessel); and
- Details of persons involved (owner/master and if available, the injured person details).

The initial report must be communicated to your local Marine Safety Agency (National Regulator delegate) via phone, email, faxed letter. The initial report does not need to be on the marine incident report form but can be if you wish.

Written Report

An incident report is a detailed written record of the marine incident involving a domestic commercial vessel, therefore, the primary vessel (vessel 1 details) recorded on the incident report form must be a Domestic Commercial Vessel.

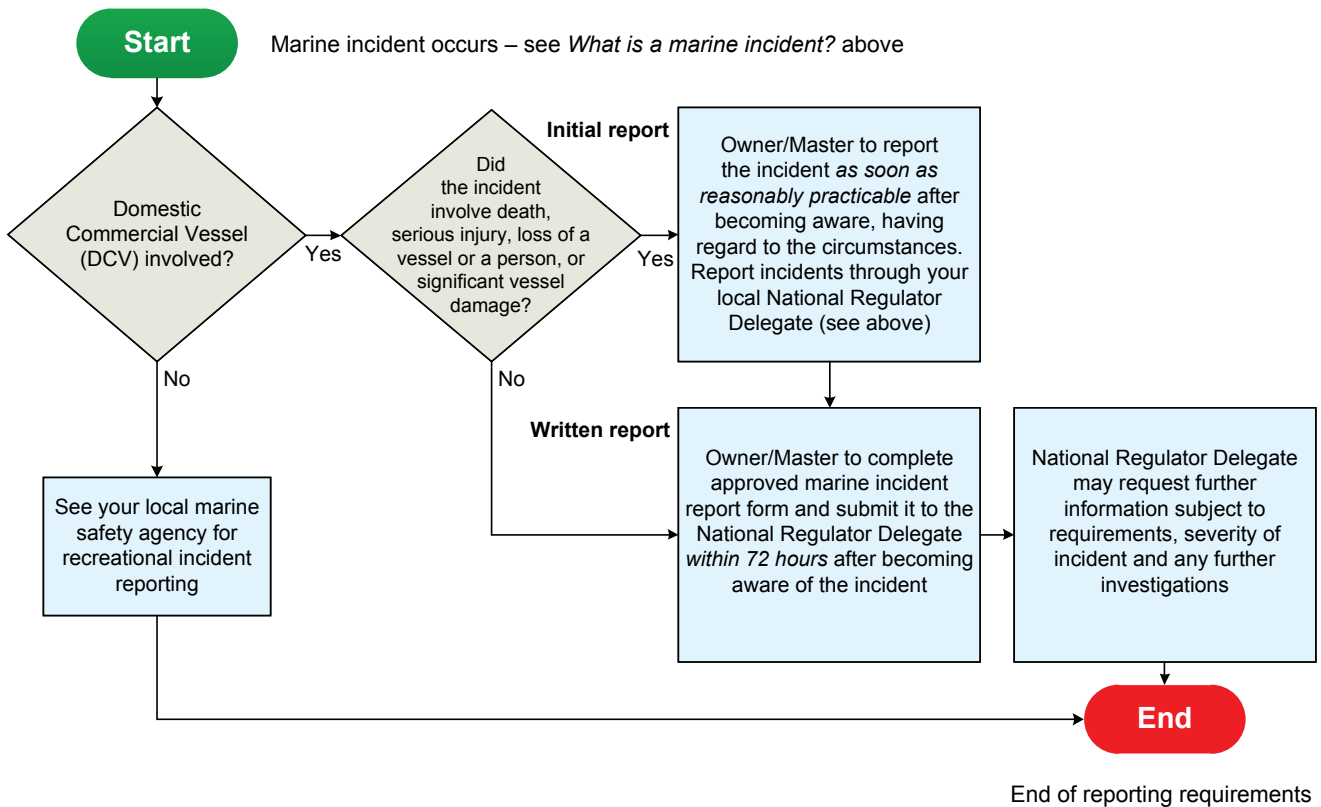
Sections 88(2) and 89(2) of the National Law state that a written marine incident report is required to be

sent to the National Regulator within 72 hours of the owner/master becoming aware of the incident and it must be made in the form approved by the National Regulator. The completed marine incident report form must then be sent to your local Marine Safety Agency (National Regulator delegate) with any supporting documents as required.

A Marine Incident Report Form is available from your local marine safety agency at :

VICTORIA	Transport Safety Victoria
QUEENSLAND	Maritime Safety Queensland
NEW SOUTH WALES	Roads and Maritime Services
NORTHERN TERRITORY	NT Department of Transport
SOUTH AUSTRALIA	SA Department of Planning, Transport and Infrastructure
TASMANIA	Marine and Safety Tasmania
WESTERN AUSTRALIA	WA Department of Transport

MARINE INCIDENT REPORTING PROCESS FLOW



Further information is available at www.nationalsystem.amsa.gov.au