



Australian Government

Department of Infrastructure, Transport,
Cities and Regional Development



Current IMO Priorities

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Overview - roles

- Department of Infrastructure, Transport, Cities and Regional Development
- Australian Maritime Safety Authority
- Attorney-General's Department

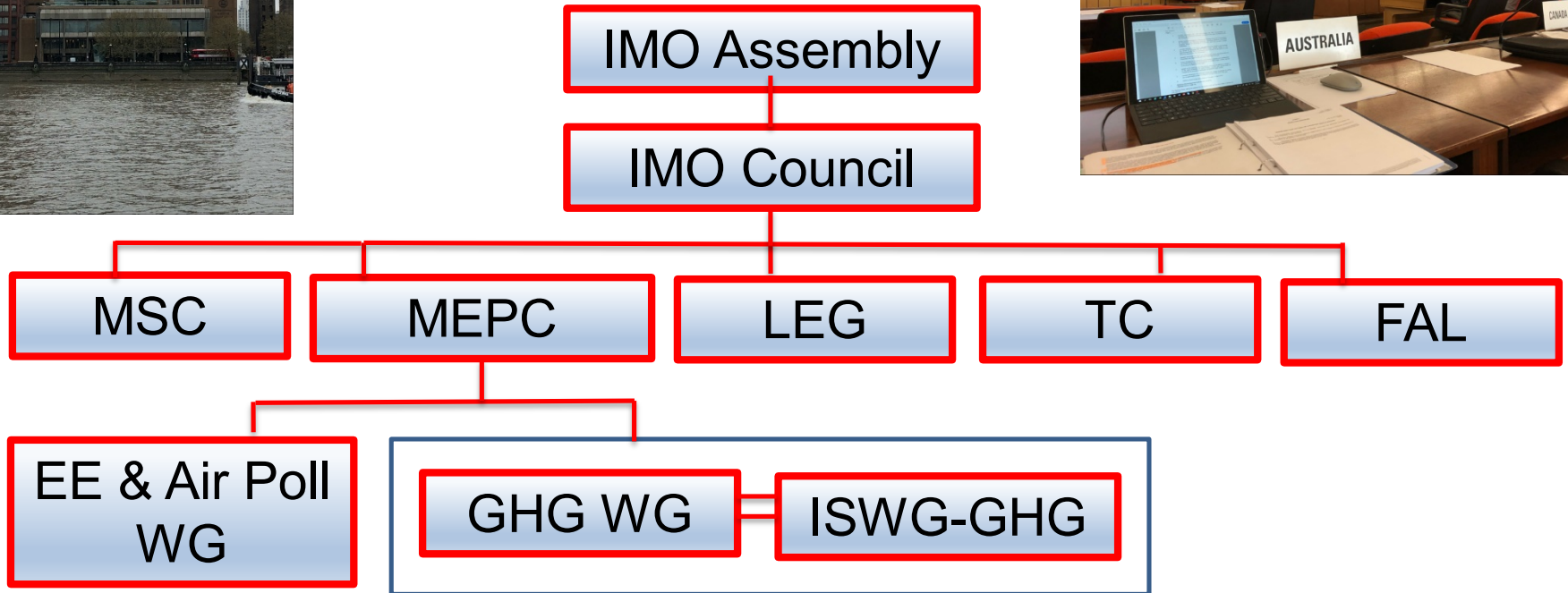


Maritime and Shipping Branch – legislation

- *Australian Maritime Safety Authority Act 1990*
- *Carriage of Goods by Sea Act 1991*
- *Coastal Trading (Revitalising Australian Shipping) Act 2012*
- *Coastal Trading (Revitalising Australian Shipping) (Consequential Amendments and Transitional Provisions) Act 2012*
- *Competition and Consumer Act 2010 – Part X*
- *Limitation of Liability for Maritime Claims Act 1989*
- *Marine Navigation Levy Act 1989*
- *Marine Navigation Levy Collection Act 1989*
- *Marine Navigation (Regulatory Functions) Levy Act 1991*
- *Marine Navigation (Regulatory Functions) Levy Collection Act 1991*
- *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*
- *Marine Safety (Domestic Commercial Vessel) National Law (Consequential Amendments) Act 2012*
- *Maritime Legislation Amendment Act 2007*
- *Navigation Act 2012*
- *Port Statistics Act 1977*
- *Protection of the Sea (Civil Liability) Act 1981*
- *Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008*
- *Protection of the Sea (Harmful Anti-fouling Systems) Act 2006*
- *Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds—Customs) Act 1993*
- *Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds—Excise) Act 1993*
- *Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds—General) Act 1993*
- *Protection of the Sea (Oil Pollution Compensation Funds) Act 1993*
- *Protection of the Sea (Powers of Intervention) Act 1981*
- *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*
- *Protection of the Sea (Shipping Levy) Act 1981*
- *Protection of the Sea (Shipping Levy Collection) Act 1981*
- *Shipping Reform (Tax Incentives) Act 2012*
- *Shipping Registration Act 1981*
- *Submarine Cables and Pipelines Protection Act 1963*



IMO - structure

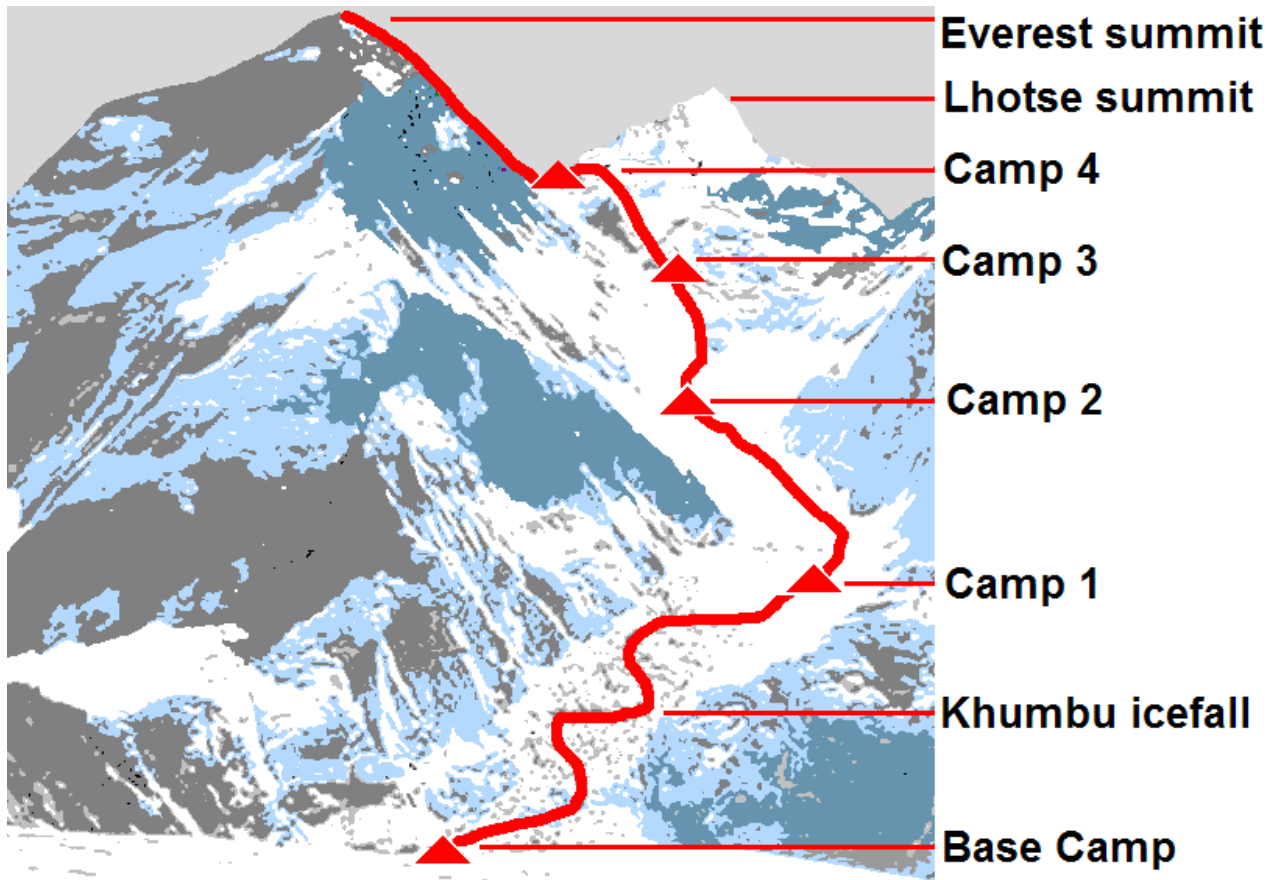


Priorities - IMO Conventions

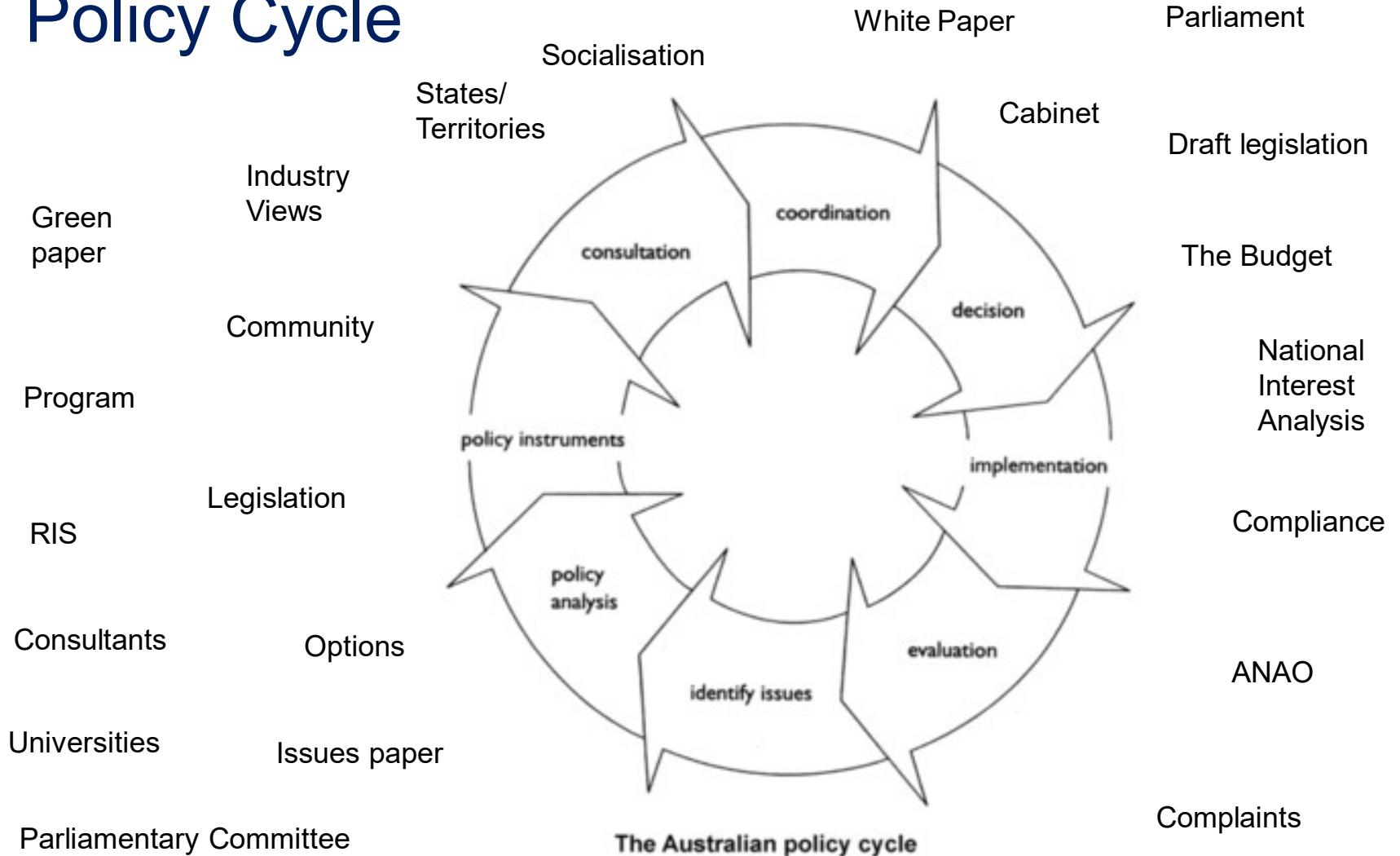
Subject	Convention	Action	Priority
Environment – pollution	MARPOL	Amend the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 by 1 January 2020 to introduce equivalent sulphur compliance arrangements and implement a sulphur fuel carriage ban from 1 March 2020	High – to meet international obligations commencing in 2020
Liability and compensation – passengers and goods	Athens Convention 2002	Further stakeholder consultation, including a Regulatory Impact Statement. National Interest Analysis and new legislation required to implement	Medium – initial consultation indicates the increasing number of Australian cruise ship passengers could benefit from accession to the convention
Liability and compensation – hazardous and noxious substances (HNS)	HNS Convention 2010	Full policy assessment process (noting process was unsuccessful in 2012 due to industry concerns)	Medium – not in force internationally, however, increasing international uptake to cover liability for HNS damage - Canada is a strong advocate
Liability and compensation – shipwrecks	Wreck Convention	Full policy assessment process	Medium – Recent YM Efficiency incident shows need for liability coverage for wreck removal
Liability and compensation - limits	LLMC Convention	Consideration of the limits in the Liability for Maritime Claims Act 1989	Medium – related to assessment for Athens 2002 and Wreck Convention
Safety – fishing vessels	STCW-F Convention and Cape Town Agreement	Full policy assessment process	Low – Cape Town is not in force internationally, New Zealand ratified the STCW-F in 2018

Where are we?

How do we get to where we want to go?



Policy Cycle



Maintaining the existing Conventions

- MARPOL
- SOLAS
- FAL
- How do we implement changes?
- Minor Vs. major



Sulphur 2020 - update

- *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* – amendments coming



Considering new Treaty action

- What will the impact in Australia be?
- Who will benefit?
- How will they benefit?



Athens Convention (2002) – update

Regulatory Impact Statement – RIS by early 2020



Wreck Removal Convention

- 1) Should Australia opt-in to the TS choice?
- 2) Should Australia's position of unlimited liability under the LLMC change?



Hazardous and Noxious Substances Convention (2010)

- ***Pros***

Covers persistent and non-persistent oil
Covers personal injury and death
Context of HNS – increasingly important?



- ***Cons***

Not in force – though ratification could assist with this
“another levy?”

Challenges

- Resources
- Domestic policy settings
- Government processes and assessing the impact
 - consultation, regulatory impact, national interest
- Navigating the Parliament
- *Welcome* engagement from MLAANZ and its members on current and future priorities



Any questions?

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Image Sources

- Slide 2 - <https://www.co3.bz/event/collaboration-ni-whole-government-approaches>
- Slide 4 – supplied by Andrew Johnson
- Slide 6 – Google Images
- Slide 8 – supplied by Andrew Johnson
- Slide 9 – <https://seanews.co.uk/features/sulphur-cap-2020-global-impact-market-trends/>
- Slide 10 - <https://www.maritimeprofessional.com/news/maritime-labor-convention-2006-232530>
- Slide 11 -
https://commons.wikimedia.org/w/index.php?search=Carnival+Dream+stern&title=Special%3ASe arch&go=Go&ns0=1&ns6=1&ns12=1&ns14=1&ns100=1&ns106=1#/media/File:Carnival_Dream_Stern.jpg
- Slide 12 - <https://safetyatsea.net/news/2019/ym-efficiency-boxes-overboard-dispute-could-go-to-court/>
- Slide 13 -
https://commons.wikimedia.org/wiki/File:Chemical_spill_simulation,_Singapore,_2013.jpg
- Slide 14 - <https://guardian.ng/opinion/the-old-bureaucracy-is-coming-back/>
- Slide 15 - <https://www.maxpixel.net/static/photo/1x/Sea-Water-Compass-Ship-Clouds-Sunset-Evening-Sun-981597.jpg>