

EXPLANATORY NOTES
Marine Orders, Part 58
(International Safety Management Code)
Issue 2 - Amendment
Order No 9 of 2006

Purpose

1. Marine Orders Part 58, for the purposes of the *Navigation Act 1912* (Navigation Act), gives effect to Chapter IX of the International Convention for the Safety of Life at Sea (SOLAS) and to the International Safety Management (ISM) Code for the Safe Operation of Ships and for Pollution Prevention.
2. Marine Orders Part 58, Issue 2 - Amendment:
 - amends Marine Orders Part 58, Issue 2; and
 - gives effect to the recent ISM Code amendments adopted by the International Maritime Organization (IMO) Resolution MSC.179(79).

Power

3. Section 191 of the Navigation Act provides for AMSA to give effect to SOLAS.
4. Subsection 425(1) of the Navigation Act provides for regulations to be made which are necessary or convenient for carrying out or giving effect to the Navigation Act.
5. Subsection 425(1AA) of the Navigation Act allows AMSA to make orders with respect to any matter in the Act for or in relation to which provision may be made by the regulations.
6. Marine Orders, Part 58, Issue 2, Amendment, was made pursuant to subsection 425(1AA) of the Navigation Act.

Consultation

7. In view of the administrative nature of the amendments to Issue 2 it was considered unnecessary to conduct public and industry consultation.

Overview

8. This amending issue of Part 58 gives effect to the ISM Code amendments adopted by IMO Resolution MSC.179(79) which entered into force 1 July 2006. These amendments mainly have the effect of making a minor change to the Document of Compliance and Safety Management Certificate forms by inserting the following: *Completion date of the verification on which this certificate is based:.....(dd/mm/yyyy).*

Amendment of principal provisions

9. **Provision 2.1** of this Issue amends the principal Order by omitting the definition of *ISM Code* in Provision 2 and substituting a new definition.

Amendment of Appendices

10. **Provision 3.1** of this Issue amends the principal Order by omitting Form 1 (Document of Compliance) of Appendix 3 and substituting a new form.
11. **Provision 3.2** of this Issue amends the principal Order by omitting Form 2 (Safety Management Certificate) of Appendix 3 and substituting a new form.

Australian Maritime Safety Authority
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