

EXPLANATORY NOTES
Marine Orders, Part 32
(Cargo Handling Equipment)
Issue 2 - Amendment
Order No 2 of 1999

Authority

1. Section 425(1) of the Navigation Act 1912 (the Act) empowers the Governor-General to make regulations necessary or convenient for carrying out or giving effect to the Act.
2. Section 425 (1AA) of the Act allows the Australian Maritime Safety Authority (AMSA) to make orders with respect to matters in Part IV and VB of the Act in relation to which provision may be made by regulations.
3. Marine Orders, Part 32, Issue 2, Amendment, was made pursuant to Section 425 (1AA).

Purpose

4. Marine Orders Part 32, Issue 2:
 - prescribes matters in relation to the loading and unloading of cargo and the safe transfer of persons, from ships, off-shore industry vessels and off-shore industry mobile units, for the purposes of Provisions 425(1), 283D(1)(b), 283E(1)(b) and 283E(1)(c)(xiii) of the Navigation Act.
 - gives effect to the International Labour Organization (ILO) conventions, No 152 *Occupational Safety and Health (Dock Work)* 1979 and No 27, *Marking of Weight (Packages Transported by Vessels)* 1929. It also gives effect to the ILO Code of Practice, *Safety and Health in Dock Work*, and ILO Recommendation 160, *Occupational Safety and Health (Dock Work)* 1979.
5. Marine Orders Part 32, Issue 2, Amendment:
 - amends Issue 2;
 - revises particular incident forms.

Consultation

6. In view of the nature of the amendments the Australian Maritime Safety Authority (AMSA) has not considered it necessary to circulate the changes to industry.

Overview

7. The amendments give effect to an agreement between AMSA and the Inspector of Marine Accidents on standardisation of particular forms within the Marine Orders.

Contents of the Order

8. **Provisions 1 to 8** have not been amended.
9. **Provision 9** provides for the appointment of a person in charge of the loading or unloading of a ship and specifies the responsibilities of the person in charge in relation to safe handling of cargo and safety of personnel. This provision has been amended to specify the requirements for submitting both an initial and full report of an incident.
10. **Provisions 10 to Appendix 20** have not been amended.
11. **Appendix 20** lists the Australian standards which may be used as a guide in determining safe working loads, and lists other standards called up in this Part. This appendix has been amended to update the listing of current Australian Standards.
12. **Appendices 21 and 22** have not been amended.
13. **Appendix 23** provides forms for certificates of tests and examination of derricks, cranes and cargo lifts, cargo gear, personnel cradles, cargo trays, crates, tubs and other loading and unloading receptacles and wire rope. It also provides a report form for breakage or failure of cargo gear, or injury to persons on or about a ship. The form MO-32/5 has been amended and the form MO 32/6 has been added.