

**EXPLANATORY NOTES**  
**Marine Orders, Part 32**  
**(Cargo Handling Equipment)**  
**Issue 2 (Amendment)**  
**Order No 7 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).

**Gazettal**

4. This amendment of Marine Orders Part 32 was gazetted in the Commonwealth of Australia Gazette, Government Notices 10 March 1999.

**Purpose**

5. 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.
6. Marine Orders Part 32, Issue 2, Amendment:
  - amends Issue 2;
  - updates text to clarify responsibilities of persons involved in the loading and unloading of cargo.

## Consultation

7. The previous amendment to Part 32, Issue 2, (Order No 2 of 1999) gave effect to an agreement between AMSA and the Inspector of Marine Accidents on standardisation of particular forms within the Marine Orders.
8. This amendment to Part 32 clarifies the responsibility of persons involved in providing the required information on those forms. In view of the mechanical nature of this amendment detailed consultation with industry was not considered necessary.

## Overview

9. The amendment clarifies the responsibilities, both of the person in charge and the master of a ship, in respect of the reporting of an accident in connection with the loading and unloading of cargo.

## Contents of the Order

10. **Provisions 1 to 8** have not been amended.
11. **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 clarify the master's requirements for submitting both an initial and full report of an incident, upon advice from the person in charge.
12. **Provision 10 to Appendix 23** has not been amended.