



Australian Maritime Safety Authority Act 1991

Statement of Expectations for the Australian Maritime Safety Authority from 1 October 2024 to 30 September 2026

I, Catherine King, Minister for Infrastructure, Transport, Regional Development and Local Government, make the following instrument.

Dated: 30 September 2024

Catherine King

Minister for Infrastructure, Transport, Regional Development and Local Government

1. Overview

This instrument is the *Statement of Expectations (SoE) for the Australian Maritime Safety Authority (AMSA) from 1 October 2024 to 30 September 2026*.

This SoE applies from 1 October 2024 to 30 September 2026 and replaces the preceding SoE issued on 11 November 2021.

This SoE serves as a notice to the Australian Maritime Safety Authority (AMSA) under section 9A of the *Australian Maritime Safety Authority Act 1990* (the AMSA Act), advising AMSA of my views in relation to its appropriate strategic direction and the manner in which it should perform its functions.

2. Governance

I expect the Board of AMSA (the Board) to continue to enable and enhance the effective operation of AMSA as Australia's maritime safety regulator, emergency response coordinator, and protector of the marine environment from pollution and environmental damage from ships.

I expect the Board to be responsible for AMSA's obligations under the Act.

I expect the Board to facilitate effective interaction between AMSA and all stakeholders.

I expect the AMSA Board to be transparent in carrying out its functions, for example by publishing on the AMSA website a communique of matters discussed at each Board meeting.

I expect the CEO of AMSA to be responsible for managing AMSA's operations, and the performance of its statutory functions, including developing and implementing effective and efficient regulatory, operational, financial, personnel and administrative activities.

I expect AMSA to keep me and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) fully informed of its activities, and to promptly advise

of any events or issues that may materially impact on its operations or on my other portfolio responsibilities, including through keeping me apprised on adherence to its Corporate Plan and compliance with this SoE.

I expect the Board to undertake a regular assessment of its own skills and capabilities and to advise me and the Department of any gaps or enhancements required, as well as on forthcoming Board vacancies.

I expect the Board to manage both perceived and actual conflicts of interest, and to publish its procedures for the management of conflicts of interest on its website.

I expect AMSA to perform its functions consistent with Australia's international obligations, including those connected with the International Maritime Organization and the International Labour Organization.

3. Strategic direction and manner of performance

I expect that AMSA will continue to be a world-leading maritime safety regulator and further strengthen its capability as a risk-based regulator.

I expect AMSA to perform its functions in accordance with;

- a) the AMSA Act.
- b) the *Public Governance, Performance and Accountability Act 2013*.
- c) the *Navigation Act 2012*.
- d) the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.
- e) any other legislation for which AMSA has responsibility, for instance the various *Protection of the Sea Acts*.
- f) all other applicable legislation.

I expect AMSA's resources to be used in a proper manner, following best practice principles and guidelines.

I expect that the conduct and values of AMSA's Board and staff will be consistent with those of the Australian Public Service.

I expect AMSA to keep me informed about its public submissions, media releases, major speeches and other details for which the Government is accountable to the Parliament and the community. I further expect AMSA to cooperate with Parliamentary Committees and other Commonwealth public accountability mechanisms.

I expect AMSA to have a publicly available document setting out its regulatory philosophy, and to implement its regulatory approach in accordance with that philosophy.

I expect AMSA to provide me with a forward annual regulatory program for matters within its remit by 30 September each year, including a report on how industry and stakeholder views have been considered.

4. Key initiatives

I expect AMSA to:

- (a) develop and maintain capability to effectively and efficiently regulate a changing maritime industry, including, as appropriate, building and maintaining its capabilities in the regulation of emerging technologies. These include, but are not limited to; digital shipping communications, Marine Autonomous Surface Ships, and low or zero carbon fuel technology.

- (b) support innovation and the adoption of new and emerging technologies in maritime sectors, particularly where these innovations offer improved safety, environmental, operational or administrative outcomes.
- (c) assist the Department to work with Australian stakeholders and international partners to develop and implement standards and practices to reduce greenhouse gas emissions from maritime activities. This work should also balance the disruption of new technologies and industries with AMSA's function of combating pollution in the marine environment and operating impacts
- (d) assist the Department to work with stakeholders towards resolving issues with the jurisdictional interface between the *Navigation Act 2012* and the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*. This includes developing and maintaining close collaboration with the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) to support stakeholders to comply with both regulatory frameworks.
- (e) work closely and collaboratively with the Department and Government more broadly to assist with implementation of the recommendations of recent reviews, including; the Independent Review of Domestic Commercial Vessel Safety Legislation and Costs and Charging Arrangements, the Australian Transport Safety and Investigation Bodies Financial Sustainability Review, and the Strategic Fleet Taskforce, with a focus on:
 - i. assisting in the continued development and implementation of a sophisticated risk framework to underpin consistent regulatory compliance and operational decisions.
 - ii. assisting in the refining and possibly reworking regulatory risk settings and cost and charging models with a view to implementing efficient and effective cost recovery for regulatory services. AMSA should endeavour to ensure its ongoing financial viability, while minimising the maritime industry's regulatory costs.
 - iii. working with the Department to assist in establishing a strategic fleet and ensuring Australia's regulatory regime is efficient and helps to reinvigorate Australian shipping, particularly through a review of the *Shipping Registration Act 1981*.
 - iv. working with the Department, the Department of Employment and Workplace Relations and the Department of Defence to assist in enhancing training and certification to enable the growth of Australia's Standards of Training, Certification and Watchkeeping qualified maritime workforce.
 - v. assisting the Fair Work Ombudsman in protecting seafarers' wage entitlements and helping to close the cost gap between Australian and foreign vessels engaged in coastal trading.
- (f) ensure Australia's maritime incident response capability remains appropriate to enable AMSA to perform its statutory functions.
- (g) implement a new Incident Management System for the integrated operational management system.
- (h) provide and coordinate high quality search and rescue services and emergency response operations under the National Plan for Maritime Environmental Emergencies, working collaboratively with stakeholders to ensure there is a process of continual improvement.
- (i) improve its data analytics capability to ensure that it has the people, tools, techniques and culture to derive value from data, improve services and make informed risk-based decisions.
- (j) work with relevant departments and agencies to implement relevant actions arising from International Maritime Organization (IMO) Member State Audit Scheme audits and findings.
- (k) continue engagement at international forums, including with the IMO, consistent with Australia's international obligations and to support Australia's diplomatic interests in these forums. AMSA should undertake a strategic, collaborative approach to engagement, including:

- i. working with the Department to develop and maintain a strategic engagement strategy that identifies Australia's key objectives and priorities.
- ii. leveraging AMSA's technical expertise to advance the work of the IMO and provide constructive input to international maritime regulation and related issues.
- iii. collaborating with industry and government stakeholders to support informed engagement.
- iv. building further internal capability to support ongoing engagement with the IMO and its operations within the United Nations system into the future.

5. Stakeholder Engagement

I expect AMSA to:

- (a) engage clearly, transparently and regularly with stakeholders regarding AMSA's activities and functions, including regulatory development.
- (b) engage effectively with Government and each of the various sectors which comprise the Australian and international maritime community, including training and industry bodies.
- (c) work closely and collaboratively with the Department and other agencies to deliver integrated and comprehensive advice to Government, the maritime industry and the community, including:
 - i. the Australian Transport Safety Bureau and the Civil Aviation Safety Authority.
 - ii. the Department of Foreign Affairs and Trade and the Department of Defence.
 - iii. Commonwealth border agencies.
 - iv. Commonwealth industry and environmental agencies.
 - v. state/territory governments and agencies.
 - vi. others as necessary.
- (d) engage in relevant consultation processes run by other government agencies or industry bodies.
- (e) maintain high standards of consultation and regulatory impact analysis in the development of regulatory instruments. This includes the provision of exposure drafts of instruments for industry and stakeholder consultation before instruments are finalised, unless the matter is urgent, and/or any delay would impact on maritime safety or the marine environment.
- (f) Improve the stakeholder interaction experience through updates to its consultation framework and implementation of user-centred, digital first processes for engaging with the maritime community. This should include improving online access to services such as applications for maritime certifications, registration and qualifications.