

FREMANTLE  
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Convention

Submission No: .....10.....

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BY: Gillian Gould

25<sup>th</sup> August 2003

The Secretary  
Joint Standing Committee on Treaties  
R1-109  
Parliament House  
Canberra ACT 2600

Attention : Ms Gillian Gould

Dear Ms Gould

**Safety of Life at Sea Convention**

In response to your letter of 29<sup>th</sup> July 2003, we support the adoption of the International Ship and Port facilities Security (ISPS) Code and related amendments to the annex to the International Convention for the Safety of Life at Sea 1974.

However, we do have concerns with the fact that the implementation proposed in Australia seems to differ from the ISPS. In summary, our key points of concern are;

1. We are very concerned that there has been inadequate consultation on the proposed legislation, that it differs from the ISPS in several regards and the fact that the legislation is being put forward without the appropriate regulations. Australian ports, through the Association of Australian Ports and Marine Authorities (AAPMA), have offered to work with DOTARS on this important issue, with the objective being to have draft legislation that has draft regulations supported by industry in general. Ports have expressed serious concerns in the way the legislation has been drafted, in that it does not appear to be compatible with the IMO ISPS and with appropriate port practice.
2. Other issues include;
  - Risk assessments and port security plan templates are still not available.
  - An apparent requirement in draft legislation for ports to provide waterborne protection of vessels and facilities.
  - Potential issues between State and Federal legislation.
  - Port liability is an unclarified issue in the legislative process.

- Naval vessels are exempt from the draft legislation, which is a concern when Naval vessels are at commercial facilities and when security controls are most needed.
- All vessels up to 500 GRT are exempt from the draft legislation.

We look forward to discuss issues regarding the ISPS with the Committee when they visit in September.

Yours sincerely



Kerry G Sanderson  
Chief Executive Officer