The Senate

Rural and Regional Affairs and Transport Legislation Committee

Provisions of the Maritime Transport Security Bill 2003

November 2003

ISBN 0 642 71339 1

This document was produced from camera-ready copy prepared by the Senate Rural and Regional Affairs and Transport Legislation Committee, and printed by the Senate Printing Unit, Department of the Senate, Parliament House, Canberra.

Membership of the Committee

Members

Senator Bill Heffernan	LP, New South Wales	Chairman
Senator Geoffrey Buckland	ALP, South Australia	Deputy Chairman
Senator John Cherry	AD, Queensland	
Senator Richard Colbeck	LP, Tasmania	
Senator Jeannie Ferris	LP, South Australia	
Senator Kerry O'Brien	ALP, Tasmania	

Participating Members

Senator Abetz	Senator Ferguson	Senator McLucas
Senator Bishop	Senator Harradine	Senator Murphy
Senator Boswell	Senator Harris	Senator Payne
Senator Brown	Senator Hutchins	Senator Ray
Senator Carr	Senator Knowles	Senator Santoro
Senator Chapman	Senator Lightfoot	Senator Stephens
Senator Coonan	Senator Mason	Senator Tchen
Senator Eggleston	Senator S MacDonald	Senator Tierney
Senator Evans	Senator Mackay	Senator Watson
Senator Faulkner	Senator McGauran	

Senator Allison for matters relating to the Transport portfolio
Senator Greig for matters relating to the Fisheries portfolio
Senator Lees for matters relating to air safety

Committee Secretariat

Mr Andrew Snedden	(Secretary)
Mr Geoff Dawson	(Principal Research Officer)
Ms Michelle Lowe	(Executive Assistant)

Parliament House, Canberra
Telephone: (02) 6277 3511
Facsimile (02) 6277 5811

Internet: www.aph.gov.au/senate
Email: rrat.sen@aph.gov.au

TABLE OF CONTENTS

REPORT

Conduct of the inquiry

1.1 The Maritime Transport Security Bill 2003 was introduced into the House of Representatives on 18 September 2003. The Senate referred the bill for inquiry by the Rural and Regional Affairs and Transport Legislation Committee on 8 October, on the recommendation of the Senate Selection of Bills Committee.

1.2 The Committee advertised the inquiry in The Australian on 22 October, and wrote to relevant organisations inviting submissions. The Committee received 8 submissions (see Appendix 1) and held a public hearing on 27 October 2003 (see Appendix 2). The Committee thanks the submitters and witnesses for their contribution. Submissions and *Hansard* transcripts of the Committee's hearings are available on the Parliament's webpage at http://www.aph.gov.au

Purpose of the bill

1.3 The purpose of the bill is to enhance maritime transport security by:

- establishing a maritime transport security regulatory framework, and providing for adequate flexibility within this framework to reflect a changing threat environment;
- implementing the mandatory requirements in Chapter XI-2 and the International Ship and Port Facility (ISPS) Code of the Safety of Life at Sea (SOLAS) Convention, 1974, to ensure that Australia is aligned with the international maritime transport security regime;
- ensuring that identified Australian ports, port facilities within them, and other maritime industry participants operate with approved maritime security plans;
- ensuring that certain types of Australian ships operate with approved ship security plans;
- issuing International Ship Security Certificates (ISSCs) to Australian ships which have been security verified so that these ships will be able to enter ports in other SOLAS Contracting Countries; and
- undertaking control mechanisms to impose control directions on foreign ships that are not compliant with the relevant maritime security requirements in this Bill.[1]

---

1 Explanatory Memorandum, p.1

Main provisions of the bill

1.4 Part 1 has preliminary matters, including a definition of 'unlawful interference with maritime transport.'

1.5 Part 2 outlines the application of maritime security levels, security directions, and a system of notification. Maritime security level 1 will be the default, and maritime security levels 2 or 3 may be declared by the secretary when it is appropriate for a higher level of security to be put in place. The secretary may direct maritime industry participants to comply with additional security measures when an unlawful interference with maritime transport is imminent or probably.

1.6 Part 3 requires certain maritime industry participants to have maritime security plans in force.

1.7 Part 4 requires certain Australian ships to have ship security plans and international ship security certificates (ISSCs).

1.8 Part 5 requires certain foreign ships to have an ISSC or equivalent and to comply with set security levels.

1.9 Part 6 allows the secretary to establish port security zones, ship security zones and onboard security zones to control access to prevent unlawful interference with maritime transport.

1.10 Part 7 has security requirements in relation to screening and clearing, weapons and prohibited items.

1.11 Part 8 establishes the powers of certain classes of officials to enforce compliance or prevent unlawful interference with maritime transport.

1.12 Part 9 formalises a communication system to ensure that adequate information is reported to relevant persons.

1.13 Part 10 enables the secretary to collect security compliance information from maritime industry participants.

1.14 Part 11 provides a number of enforcement options including a demerit points system.

1.15 Part 12 sets out decisions which are reviewable by the Administrative Appeals Tribunal.

1.16 Part 13 has miscellaneous technical provisions.[2]

2 Summarised from explanatory memorandum, p1-3.

Comment of Scrutiny of Bills Committee

1.17 The Senate Standing Committee for the Scrutiny of Bills has a brief to consider all bills as to whether they trespass unduly on personal rights and liberties, and related matters. The Committee had the following concerns about the bill:

- Clause 39 creates an offence of failing to comply with a security direction issued by the secretary. This overturns a fundamental principle that a person should not be exposed to a penalty or criminal sanction at the discretion of an official -

  > It is suggested that this provision comes within the Committee's Terms of Reference because such a security direction is issued without any form of Parliamentary oversight and without the Parliament even being informed of its making. In other words, a member of the Australian Public Service would be given the power to create criminal offences, without reference to either House of the Parliament.

- The secretary has unfettered power to determine that an organisation is a 'registered security organisation' (subclause 88(2)), and may also delegate significant powers to a registered security organisation (paragraph 88(1)(b). This might be considered to insufficiently subject the exercise of legislative power to parliamentary scrutiny.[3]

Issues raised in submissions

Cost of new security measures

1.18 Most submitters had concerns about the cost of new security measures. Shipping Australia argued that OECD estimates are conservative. The Association of Australian Ports and Marine Authorities (AAPMA) and the Australian Shipowners Association (ASA) argued that there is a public good element in maritime security and the community should help bear the cost. There was particular concern about the possible costs of level 2 or 3 security. The Queensland Government had a concern that particularly smaller ports might not be able to afford to carry out the secretary's security directions. [4]

1.19 There was particular concern about the cost and practicality of increased waterside security. AAPMA noted that 'the issue of waterside protection can pose enormous difficulties in some of the more remote but high volume ports as well as capital city ports as there are simply not the resources available in most if not all ports to mount an effective deter and detect operation.' AAPMA contends that 'waterside protection is an issue that needs to be agreed between Commonwealth and State

---

3 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest*, No. 12 of 2003, 8 October 2003, p.16-19.

4 Mr L. Russell (Shipping Australia Ltd), *Hansard*, 27 October 2003, p.5. Submission 7, ASA, p.4. Mr J. Hirst (AAPMA), *Hansard*, 27 October 2003, p.9. Submission 3, Shipping Australia, p.1. Submission 4, Queensland Government, p.5.

governments.' The Tasmanian Department of Infrastructure, Energy and Resources noted that 'on-water security patrolling and enforcement for maritime security zones presents a substantial resource issue for Water Police.'[5]

1.20 The government's policy is that the cost of extra security will need to be borne by the State and Territory governments and the private sector. 'Preventive security is a cost of doing business. Maritime industry participants are in a position to recover the costs of additional security measures through existing cost recovery mechanisms.'[6] On the cost to the States of waterside security the Department of Transport and Regional Services (DOTARS) commented in evidence:

> The general issue of waterside police resourcing is certainly an issue that is going to be discussed more between the Commonwealth and the states. Our view is that community policing, including policing on the water, is a state responsibility… My expectation is that if, for any reason, we need to put a port or part of a port at high alert, that will happen in the context of national counter-terrorism arrangements. State police will be involved along with state premiers and state transport departments in decision making regarding resource allocation. If a particular state happens to simply run out of resources, given the size of the port or the nature of the threat, then I anticipate that the Commonwealth will be working as hard as it can to ensure that, if we have had to move something to high alert, it has the resources it needs.[7]

1.21 In the Committee's view there are reasonable concerns about how the costs of increased security will be borne - particularly costs to State authorities of increased waterside security. The Government will need to bear this in mind when considering maritime security plans and secretary's directions. The Government should consult further with industry and State authorities on this issue.

Who should be a maritime industry participant?

1.22 The Maritime Union of Australia (MUA) and the Australian Institute of Marine and Power Engineers (AIMPE) argued that maritime unions should be designated as 'maritime industry participants', as this would allow them to 'participate in a consultative and cooperative manner in all areas of security on regulated ships and in regulated port facilities.' [8]

1.23 DOTARS replied that 'they are not business entities; they are not entities that SOLAS envisages would be covered by the arrangements… we are basically trying to regulate the private sector and a range of state government organisations.' DOTARS

---

5 Submission 2, AAPMA, p.2-3. Submission 1, Department of Infrastructure, Energy and Resources [Tasmania], p.2.

6 Explanatory Memorandum, p.17-18.

7 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.38-9.

8 Submission 5, Maritime Union of Australia and the Australian Institute of Marine and Power Engineers, p.6.

noted that in the regulations a maritime security plan will have to include a mechanism for consultation between the operator and its personnel and contractors regarding security measures.

> So the obligation is principally between those regulated entities and their employees. If their employees feel they are left out in some way they can either seek to work that out at port level, they can take it up at a state government level—because many of these entities are state government interests—or they can come to us at a policy level.[9]

1.24 AAPMA was concerned that the definition of maritime industry participants might cast the net too wide in respect of contractors:

> Does it cover a contractor who comes on say, a wharf site, for maintenance of buildings or other facilities; would it include a contractor who may carry out some maintenance on a pilot vessel or tug, or someone who delivers office supplies, etc, and if so, is it the intention that this Bill apply to these people.[10]

1.25 The Committee comments: an objective being pursued by the MUA and AIMPE is involvement in decision-making and consultation about matters affecting their members. Given that their members are in the front line in terms of the implications of any major security breach, it would appear reasonable to ensure - either through the bill, regulations or some other mechanism - that employee representatives are included in consultative structures on security regulation.

Clarification of responsibilities of shipping agents

1.26 Shipping Australia had a concern that the bill does not adequately acknowledge the place of shipping agents. 'We have a number of concerns with the Bill in terms of definition of a ship operator in Section 10 and also the need for clarity as to the shipping agent in Section 19. The ship operator, who may have timechartered a ship, would have no responsibility as far as security on the vessel is concerned.'[11]

1.27 DOTARS replied that '…we think that the existing definitions cover it….'

> … We think that the way we have described maritime industry participants allows us, as the regulator, sufficient scope to draw shipping agents in where they need to be in without necessarily having every shipping agent in the country producing a security plan, which would be unnecessary. We simply need them to provide us information.[12]

---

9 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.45-6. Draft regulations, 3.50.

10 Submission 2a, AAPMA, p.2.

11 Submission 3, Shipping Australia, p.1. Similarly Mr L. Russell, Shipping Australia, *Hansard*, 27 October 2003, p.6.

12 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.41.

Procedure for approval of maritime security plans

1.28 If the secretary does not respond to a maritime security plan put forward for approval within 90 days, it is deemed to be refused (clause 51(4)). Some submitters thought this is unreasonable, and thought there should be a stronger onus on the secretary to respond. The Western Australia Department for Planning and Infrastructure said:

> It is unacceptable that there is no time requirement for the Secretary to consider a maritime security plan that has been submitted…. The possibility of a maritime participant lodging an appeal with the Administrative Appeals Tribunal does not provide sufficient comfort to port operators and their customers because their trade and businesses could be seriously harmed before the matter is heard…. It is recommended that the Bill be amended to promote discipline in the department and encourage the Secretary to deal with plans expeditiously.[13]

Concerns about secretary's power to issue security directions

1.29 Submissions had various concerns about the secretary's power to issue security directions. Mostly these concerned the need to consult harbourmasters. AAPMA argued that 'the powers given to the Secretary of DOTARS could be seen to override the powers of the Harbour Master which, whilst possibly acceptable in certain circumstances, could in actual situations create less than efficient responses to particular situations.' The Western Australia Department for Planning and Infrastructure recommended that the secretary should be obliged to consult the harbourmaster or other responsible person before giving directions regarding the movement of ships.[14]

1.30 The Queensland Government pointed out that 'there is a reasonableness test applied to the circumstances surrounding the making of the direction. However there is no test of reasonableness applied to the actual details of the direction. There is a concern that some industry participants may, in a practical situation, be unable to comply with the intent and requirement of some directions.'[15]

1.31 The Western Australia Department for Planning and Infrastructure had a concern that 'the Bill will confer on the Commonwealth Secretary extensive powers to give directions which could severely affect the operations of ports and shipping and may have an adverse impact on this State's economy.' The Department suggested that the bill should be amended to include provisions similar to those in the *Corporations Act 2001* (sections 5D-5I) dealing with the relationship between Commonwealth and

---

13 Submission 8, WA Department for Planning and Infrastructure, p.4-5. Similarly submission 2a, AAPMA, p.4.

14 Submission 2, AAPMA, p.3. Submission 8, WA Department for Planning and Infrastructure, p.3. Similarly submission 1, Tasmanian Department of Infrastructure, Energy and Resources, p.2.

15 Submission 4, Queensland Government, p.5.

State laws and regulations. The Department urged consultation with the States before any regulations or directions are made which could make State laws inoperative.[16]

1.32 DOTARS noted that the regulations will require consultation before the secretary issues a security direction. In evidence AAPMA was still not happy with this, and felt the provision should be in the bill.[17]

If a port operator lacks power to carry out a security direction

1.33 The Tasmanian Department of Infrastructure, Energy and Resources had a concern that a port operator might be unable to carry out a security direction because of lack of jurisdiction. DOTARS commented:

> I think what they might be getting at is where, if there is inadequacy in the state legislation constructing the port authorities, we ask the port authority to do something it is not empowered to do under its state port authority law. Again, that is an issue for the planning process and the construction of the plan for the port. The port knows what powers it has got, and those powers are going to be a foundation of the plan. If there is a gap in something needing to be done—and it is a significant gap—we have got a couple of routes we can take: we can work with the state government to amend the port authority's empowering act, we can work with the state police to see if they have powers that will cover the gap or alternatively we can cover it in a regulation if it is appropriate to do that under Commonwealth law.[18]

Port operators' duty to pass on information

1.34 AAPMA argued that when a port corporation has a duty to pass on information as an agent of the Department, it should have legislative immunity from suit by third parties, eg against claims for demurrage, as a result of providing such information. DOTARS confirmed that in passing on a secretary's direction the port corporation would be acting as the agent of the Commonwealth, and the Commonwealth would be liable for loss arising from the Commonwealth's negligence in making the direction. [19]

Possible effect on legitimate industrial action or public protest

1.35 The MUA and the AIMPE were concerned that 'unlawful interference with maritime transport' might be interpreted so as to curtail legitimate industrial action or

---

16 Submission 8, WA Department for Planning and Infrastructure, p.4.

17 Mr J. Kilner, DOTARS, *Hansard*, 27 October 2003, p.42. Draft regulations, 2.80. Mr J. Hirst, AAPMA, *Hansard*, 27 October 2003, p.16.

18 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.48.

19 Submission 2, AAPMA, p.4. Mr J. Kilner, DOTARS, *Hansard*, 27 October 2003, p.46

public protest. They argued that a new section should be included to exempt certain behaviour from the definition of 'unlawful interference with maritime transport'.[20]

1.36 DOTARS commented:

> It has not been our intention, in formulating the bill or in any of the policy discussions that we have had, to in any way get involved in hampering industrial action…. We think that the issue is covered off because there is an obligation in the bill to report incidents of unlawful interference with maritime transport that are or suspected to be terrorist incidents. Terrorism is defined in the Crimes Act and it excludes political process and union activity, so we have framed the bill in such a way that there are some general protections because of the interaction with the Criminal Code. The bill cannot stop anybody protesting outside the gates of a port or anything like that, but it is designed to control access to ships…[21]

1.37 Similarly in relation to water based protest, DOTARS argued:

> A ship security zone could not be used solely for the purpose of excluding the activities of groups described in the Queensland submission as well organised, safe and non-violent water-based protest because they would not meet the definition of unlawful interference with maritime transport.[22]

1.38 On the suggestion that certain behaviour should be exempted if it is 'not intended to cause serious harm', DOTARS said:

> It would be practically difficult and a poor security outcome to attempt to enforce a security zone based on the intention of the person entering the zone to commit an act of unlawful interference with maritime transport because such intentions could not be known to a person enforcing the zone.[23]

1.39 In the Committee's view the bill does not adequately reflect DOTARS' stated intention that in formulating the bill and associated policy discussions, there was no intention of affecting employees' rights to take industrial action. This must be absolutely clear in the bill.

Possible effect on the welfare of seafarers

1.40 The MUA and the AIMPE were concerned that the bill 'fails to adopt important provisions of the ISPS Code; provisions that require the protection of workers' rights and freedoms and their access to the representatives of labour and welfare organisations.' In reply DOTARS referred to clause 3(4): the 'maritime

---

20 Submission 5, MUA & AIMPE, p.4. Dr D. Macdonald, MUA, *Hansard*, 27 October 2003, p.22. Similarly submission 4, Queensland Government, p.7.

21 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.31.

22 DOTARS, additional information p.4.

23 DOTARS, additional information p.4.

security outcomes' include 'Australia's obligations under Chapter XI-2 of the SOLAS Convention and the ISPS Code, including those with regard to the welfare of seafarers, are met.' As well, in the draft regulations for the port facilities security plan, there is a requirement for a plan to address procedures for 'facilitating shore leave for ship personnel or personnel changes as well as access of visitors to the ship, including representatives of seafarers, welfare and labour organisations'.[24]

1.41 The Queensland Government argued that the 'minor reference' in section 3 is insufficient: 'There are already stories of some terminal operators limiting access to seafarer representatives on the grounds of 'security'. Such actions are totally unjustified and unwarranted.'[25]

1.42 In the Committee's view the bill or regulations should clearly enunciate that this bill is not intended to impact on the rights of seafarers - either their welfare or labour rights.

Greater risks of foreign shipping

1.43 The MUA and the AIMPE argued that foreign ships pose a greater risk to security than Australian ships. They proposed adding a provision in Part 5 Division 2, to the effect that a foreign ship's ISSC or approved ISSC equivalent must be verified by a Maritime Security Inspector before the ship is allowed to berth in a security regulated port.[26]

1.44 DOTARS was concerned that this might hamper trade:

> If we put that sort of provision in, my only concern would be that we might inadvertently be hampering trade, whereas what we have here gives us a little bit of discretion to make judgments at the margin, particularly in the early days. It will take a little while for the global shipping fleet to all get their certificates.[27]

1.45 In the Committee's view it would appear reasonable, and in the public interest, that the security of all vessels is established before they enter a security regulated port, especially vessels that have not received ISSC or equivalent approval. DOTARS is encouraged to ensure this issue is resolved in the bill or regulations.

Different enforcement provisions for Australian and foreign ships

1.46 Some submissions were concerned that some of the enforcement provisions are less strict for foreign than for Australian ships. For example, Shipping Australia

---

24 Submission 5, MUA & AIMPE, p1. Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.39. Draft regulations, 3.102A.

25 Submission 4, Queensland Government, p.6.

26 Submission 5, MUA & AIMPE, p.6.

27 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.40.

said: 'Sections 122 and 130 and others refer to an offence if weapons or prohibited items are carried onboard an Australian regulated ship but no comment is made in relation to foreign regulated ships.' The Queensland Government argued that 'there appears to be a lack of effective enforcement over security regulated foreign ships…'

> …This matter is even more important when considered within the context of the increased use of foreign flag vessels on Australian domestic voyages under single and continuous voyage permits. Once on domestic voyages, these vessels nominally fall outside the customs/immigration surveillance control and often use facilities dedicated to the Australian trade where there is minimal surveillance and monitoring of activities.

1.47 The MUA and the AIMPE had similar concerns about the security implications of increasing use of foreign ships in coastal trade. The Australian Shipping Association (ASA) was concerned about the competitive neutrality implications as between Australian and foreign ships:

> The operators of Australian controlled shipping are acutely mindful of the onerous impact of a range of other legislative measure on their ability to compete in the international market and, increasingly, in the domestic market. Satisfaction of sound security should not unnecessarily further that divide.[28]

1.48 On the provisions concerning weapons and prohibited items, DOTARS commented:

> For foreign ships there are already extensive provisions in the Customs Act to do with prohibited items. That is a long list, including weapons. Our bill just closes off any gaps that might exist. We are seeking to control the carriage of weapons to a ship once it is berthed in Australia. When a ship is inbound, that is part of the Customs Act.[29]

Defence vessels are exempted

1.49 AAPMA was concerned that defence vessels, although they often use civil port facilities, are exempted from the provisions of the bill:

> For example, it is often the case that commercial vessels berth in close proximity to RAN and foreign naval vessels in our commercial ports and as naval vessels will always be perceived to pose a greater threat than perhaps commercial vessels, certainly in terms of a potential target, it may be necessary for a higher security response to be put in place for commercial

28 Submission 3, Shipping Australia, p.2. Submission 4, Queensland Government, p.6. Submission 5, MUA & AIMPE, p.2. Submission 7, ASA, p.3.

29 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.44.

> vessels if and when naval vessels were in port at the same time. The Bill is silent on the interface in a port between commercial and naval vessels…[30]

1.50 DOTARS commented:

> We have acknowledged that the presence of a naval vessel in a port is a risk that needs to be considered in the port plan, because it introduces a risk to SOLAS vessels. We continued to work with the Navy around the implications of that. Our feedback has been that there has been a significant improvement between Navy and port operators in how coordination mechanisms are working. We will certainly continue our dialogue with Navy about the risks that are introduced…. As we raise the profile of maritime terrorism, I think the Navy are a bit more conscious now of their obligations.[31]

Public access to the shore in ports

1.51 DOTARS commented on the concern that people may be excluded from port land to which they have traditionally had access:

> **Senator O'BRIEN**—There are many ports that are openly accessible to the general public and play a key role in communities. Earlier today I used the example of Hobart and its interaction with the Salamanca Markets et cetera. How will these types of open access arrangements continue? …
>
> **Mr Tongue**—I think the honest answer to that is that most ports, in one way or another, are accessible to the public and most ports will require enhanced access and control arrangements. The issue will be between those ports that will require them to be enhanced for risk reasons permanently and those that will just require ad hoc arrangements. The situation of the smaller regional ports has certainly been brought to our attention. They see a handful of SOLAS vessels and it just would not be practical to put in place all the fencing. It would effectively mean locking off an important community asset. What we are looking at there is trying to enable temporary arrangements.[32]

Powers of maritime security inspectors

1.52 The Tasmanian Department of Infrastructure, Energy and Resources was concerned by provisions in the form (for example) 'In exercising a power under this section, a maritime security inspector must not subject a person to greater indignity than is necessary and reasonable for the exercise of the power.' (section 139(3)). DOTARS commented that the phrase is consistent with other Commonwealth

---

30 Submission 2, AAPMA, p.4. Similarly submission 4, Queensland Government, p.4

31 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.47.

32 Mr A. Tongue, DOTARS, *Hansard*, 27 October 2003, p.45.

legislation, and the intent is to strike a balance between the legitimate use of force and the civil liberties of individuals.[33]

Comment and recommendation

1.53 The Committee considers that DOTARS has given reasonable answers to most of the concerns raised. The Committee notes that there is some urgency to implement this bill since, by international agreement, the regime it sets up must be in place by 1 July 2004. The Committee considers that this can be achieved with appropriate consideration by the Minister and DOTARS of the Committee's comments, either through amendments to the bill or in the regulations.

Senator the Hon. Bill Heffernan
Chair

33 Submission 1, Department of Infrastructure, Energy and Resources [Tasmania], p.2. DOTARS, additional information, p.5.

ADDITIONAL COMMENTS
BY LABOR SENATORS

Register of Maritime Employees

The MUA and AIMPE advocated the establishment of a national register of maritime workers' security training and qualifications.

This measure was proposed to ensure that all persons employed in the industry received appropriate security training.

This is especially important to ensure contractors are appropriately trained and aware of security matters.

Labor Senators contend that the government should commit to develop and maintain such a register, and in the event that the government is unprepared to do so, then arrangements should be put in place in the bill or regulations to achieve the outcome sought.

Senator Kerry O'Brien **Senator Geoff Buckland**

APPENDIX ONE

SUBMISSIONS

Submission No	Author
1	Department of Infrastructure, Energy and Resources (Tasmania)
2	The Association of Australian Ports and Marine Authorities
3	Shipping Australia
4	Queensland Government
5	Maritime Union of Australia
6	Customs Brokers and Forwarders Council of Australia Inc.
7	Australian Shipowners Association
8	Department of Planning and Infrastructure WA

APPENDIX TWO

HEARINGS AND WITNESSES

Canberra, Monday, 27 October 2003

Association of Australian Ports and Marine Authorities
Mr John Hirst, Executive Director

Australian Institute of Marine and Power Engineers
Mr Martin Byrne, Assistant Federal Secretary

Department of Transport and Regional Services
Ms Helen Board, Director, Maritime Security Policy
Mr John Kilner, Assistant Secretary, Maritime Transport Security,
Mr Andrew Tongue, First Assistant Secretary, Transport Security

Maritime Union of Australia
Mr William Giddins, National Industrial Officer
Dr Duncan MacDonald, Consultant

Shipping Australia Ltd
Mr Llewellyn Russell, Chief Executive Officer

APPENDIX THREE

ADDITIONAL INFORMATION

Additional information accepted as public evidence of the inquiry.

Type:
A. Answers to questions put by the Committee
C. Miscellaneous further comment
D. Miscellaneous documents

Dated	Type	From	Topic
	D	Dept of Transport and Regional Services	Drafting instructions for regulations: tabled at hearing 27/10/03
	D	Dept of Transport and Regional Services	Draft Maritime Transport Security Regulations 2003
	A	Dept of Transport and Regional Services	Answers to questions taken on notice at hearing