

# SEAFOOD INDUSTRY AUSTRALIA



**Submission to the Department of  
Infrastructure, Transport, Regional  
Development and Communications,  
Independent Review of Australia's  
Domestic Commercial Vessel Safety  
Legislation, and Costs and  
Charging Arrangements**

**Phase 1, May 2022**

Submitted via email: [dcvsafetyreview@infrastructure.gov.au](mailto:dcvsafetyreview@infrastructure.gov.au) to on Tuesday, May 3, 2022.

**ATTN: Mr Michael Carmody AO, Chair DCV Safety Review Panel.**

Seafood Industry Australia (SIA) welcomes the opportunity to make a submission to the Department of Infrastructure, Transport, Regional Development and Communications Independent Review of Australia's Domestic Commercial Vessel Safety Legislation, and Costs and Charging Arrangements. The Review was announced in late 2021, and will consider whether the National System for Domestic Commercial Vessel Safety is fit for purpose, focusing on the capacity of the legislation to support safe vessel operations, minimise regulatory and administrative burden for industry, and transparency. It will also assess the costs and charges associated with the legislation.

SIA is the national peak-body representing the Australian seafood industry as a whole. With members from the wildcatch, aquaculture and post-harvest sector, including state, territory and sectorial associations, along with seafood businesses and producers. We are the voice of Australian seafood.

Currently valued at more than \$3.15 billion and directly supporting more than 17,000 Australian families ([ABARES, 2021](#)) and thousands more downstream in logistics and sales, the Australian seafood industry plays a key role securing Australia's food base, creating and maintaining jobs, boosting economic activity, and generating valuable export income for Australia and our rural and regional communities. Australian seafood accounts for 10 per cent of the national agricultural production.

Growth of our industry delivers increased jobs and investment in rural and remote Australia, and puts more than 1.5 billion meals of quality, healthy, sustainable seafood for Australian families and our international neighbours.

SIA provides consumers, Government and other stakeholders with confident and united representation.

Our mission is to Promote, Protect and Develop the Australian seafood industry on the national and international level. Our unity indicates that we love what we do, we stand by our products, and that our products are the best in the world.

## Our Pledge

We are the Australian seafood industry, and we are committed to putting the best Australian seafood on your table now and for generations to come.

To ensure we do this in ways we are all proud of, we promise to:

- Actively care for Australia's oceans and environment and work with others to do the same;
- Value our people, look after them and keep them safe;
- Respect the seafood we harvest and the wildlife we interact with;
- Be transparent and accountable for our actions;
- Engage with the community and listen to their concerns; and,
- Continually improve our practices.

This is our pledge to you.

## Overview

Seafood Industry Australia (SIA) welcomes the Review and the opportunity to provide feedback on the new national approach to improved safety of the domestic commercial vessel (DCV) fleet, particularly the component that is the fishing and aquaculture fleet.

We acknowledge a further phase of the Review is yet to be undertaken that will also seek to capture input to service delivery, costs and cost recovery of services by the Australian Maritime Safety Authority (AMSA).

Further to the interim submission that was provided on March 30, 2022, we have undertaken a more detailed targeted consultation process with a range of key seafood industry bodies and businesses. The following comments and feedback are provided based upon SIA's engagement with various key industry stakeholders across all jurisdictions and with a broad range of operating environments and needs, from large enterprises with significant fleets, to small owner-operators, and with a small number of vessels.

## Recommendations for Action

SIA makes 16 recommendations for action by the committee:

1. **Take meaningful steps to close the disconnect between owners and skippers, and the rationale behind changes to operational and design requirements put forward by AMSA.**
2. **Make changes to the framework including a set of design rules which drive the assessed risk level established by AMSA with industry, including surveyors, particularly for commercial fishing and aquaculture fleets.**
3. **Design rules should contain a set of equivalent options for specifications, which each achieve a common outcome, based on clear risk profiles. These should allow for a flexible mix of alternative designs and systems to achieve a "safe" vessel, fit for its operational requirements.**
4. **SMS should be the over-riding standard for managing safety on-board DCVs, across all jurisdictions.**
5. **Consistent laws should be developed in relation to matters, like safe crane operation and the ability to work on electrical systems. This will assist in clarity for operators.**
6. **An expert surveyor should be appointed in each jurisdiction to bridge the gap between the states and the Canberra-based head office.**
7. **Develop a schedule of ongoing monitoring and training for accredited surveyors, with the provision of regular workshops.**
8. **Consider moving to the New Zealand system by setting technical standards and authorising surveyors (or companies) through a trust and verify scheme.**
9. **Improve the accessibility to information on the AMSA website, including more simple and straight-forward access to key information for smaller operators with DCV.**
10. **Remove the requirement to have both survey and operation certificates maintained for DCV.**
11. **Remove vessels of less than 7.5 meters from requirements under the current framework.**
12. **Build capacity for operators in the DCV fleet, including AMSA, by facilitating access to electronic initiatives for safety and reporting using improved electronic means.**
13. **Incentivise positive outcomes by rewarding compliance.**
14. **Return to an initiative like the "Ship Bounty Scheme" to provide impetus for new builds.**
15. **Engage in more regular roundtable meetings at a local level between industry and AMSA; with particular regard to discussions on safety and incidents.**
16. **Take meaningful steps to develop a "no blame" approach to safety investigations.**

## National Reform Framework

The seafood industry has been a strong supporter of the overall objective of establishing a single, national, marine safety service delivery model to assist the Australian government and the wider domestic commercial vessel industry (including fishing and aquaculture industry) to operate in a more efficient and cost-effective manner.

There is a well-recognised need to improve the safety culture in the industry through increasing owner and operator responsibilities and self-audit for marine safety. Continuing to build upon this improved safety awareness and culture must be the ongoing focus of the national framework. Driving change has been at times a challenge for the industry, its supporting bodies, and many businesses but there has been a change in culture which needs to be further nurtured and developed. Initiatives such as Fish Safe Australia are critical to driving this improvement.

The national management system for marine safety with appropriate improvements of the current legislation, including supporting regulations and Marine Orders, will further support driving the efficiencies sought through the harmonization policy.

The previous multiple state jurisdiction delivery model was cumbersome and resulted in inefficiencies for vessel movements around the country, inconsistency in application of survey requirements, misalignment of competencies across similar operations and poor transition of the workforce across borders. In some cases, as is now being uncovered, baseline survey requirements underpinning marine safety (e.g. vessel stability evidence and non-surveyed vessels) were inconsistently applied within and between jurisdictions.

Fundamental to the above was the December 2012 Council of Australian Governments (COAG) National Compact on Regulatory and Competition Reform, which committed governments to ‘free[ing] the business environment from unnecessary regulation’. This document sets out that ‘Businesses benefit via lower costs and reduced regulatory burden’ (p1)<sup>1</sup>

The stated overall objectives of COAG entering this harmonised regulation approach to assist the operations of the Australian marine industry were:

- operate in a more efficient and effective manner;
- reduce red tape and thus costs; and
- improve marine safety.

The above COAG fundamentals must continue to be even more influential in any enhancement of the DCSV process and underpinning regulation.

COAG recognised at the time of establishing the harmonised National Marine Safety framework there would be a ‘settling in period’ and hence supported a transition through financial assistance over the first 10 years of the national law (i.e. 2013 – 2023). COVID has extended these government support arrangements.

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<sup>1</sup> December 2012 Council of Australian Governments (COAG) National Compact on Regulatory and Competition Reform  
<http://www.coag.gov.au/node/486>

This Review is a timely opportunity for government and industry to determine what will work best going forward and drive the necessary efficiencies into the national system resulting in less red tape, reduced cost and improved safety.

## Is Australia's legal framework for the safety of domestic commercial vessels fit for purpose?

The framework for managing the national DCV fleet was based upon the intent to improve safety and ensure consistency in the application of standards to underpin safety at sea and on-board commercial vessels. Feedback from stakeholders indicated the COAG aims have been partially met, with one survey certificate, set of certification standards and marine qualification recognition. There are, however, many and increasing interventions that are adding complexity and creating anomalies due to the approach of a narrow, common specification and standard among a very diverse and complex fleet of commercial fishing and aquaculture vessels which includes the following, and many more, examples:

- Small owner operators working on a single small vessels (<5 m) in inshore or sheltered waters.
- Shellfish aquaculture operators with a large fleet (>10) of small vessels to service their aquaculture ventures.
- Crab and lobster pot fisheries who have pot hauling vessels of approximately 15-20 m in length which work in nearshore and offshore environments, either in day trips or longer.
- Prawn trawlers of approximately 25-30 m length which fish in bays, gulfs and offshore areas.
- Large finfish Aquaculture operations with a fleet ranging from 30-40 m motherships and hundreds of smaller vessels.
- Fishing companies with large fleets (15-20 vessels) that operate in inshore and offshore areas.

A key challenge identified is that technical standards have not been finalized and therefore the legislation is open to interpretation, while AMSA remains prescriptive and struggles to manage the system from their head office, which is located far away from the principal ports of Australia. Predominantly the perception is there is a lack of trust of industry by AMSA, particularly in relation to engaging and trusting third parties like certified surveyors to apply the system and treating all operators like large foreign vessels due to the historical culture AMSA which has primarily focused on such vessels.

The general view was rather than having a system that encourages a risk-based approach we have a heavily regulated design and specification model with little capacity to suit a variety of needs and risk levels. This leads to an increasing level of exemption and "one off" issues having to be addressed which is making the process costly and unwieldy for designers, builders, owners and surveyors.

It is acknowledged that AMSA seeks to have an active communications program to support engaging industry in issues for development or application of improvements to safety. However, there is still a significant degree of disconnect with owners and skippers of the rationale for many changes to operational and design requirements put forward by AMSA. Closing this disconnect will assist in the implementation of the framework. Although many operators have good relationships with AMSA's Liaison Officers they are not always able to help operators with the information or result required and are under resourced.

Any transition from legislation to Marine Orders would need to be accompanied by a strong consultative process, with adequate opportunities for stakeholders to clearly understand what was required and for any orders to include flexibility depending on the operations stakeholders were undertaking. While flexibility was thought to be important there was a general view amongst surveyed participants that staying up to date with changes made through Marine Orders was problematic, with many smaller operators relying on surveyors to be aware of and interpret these changes.

Opportunities for flexibility within the framework were raised by and discussed at length with most owners and enterprise managers. There was a strong view that for smaller boats which operate in more restricted conditions that the system should focus on a risk-based approach. There were many examples provided by operators that demonstrated what was seen as overly restrictive provisions for vessels that operate in sheltered or shallow nearshore waters or under restrictions such as daylight only operations where the survey requirements were unreasonable in the equipment required to be carried and had little to do with issues of risk in an operation e.g. life rafts, number of torches etc.

It is suggested that area of operations including such considerations as the depth of water and the type of activity undertaken should be more relevant in determining the survey standard based upon a risk-based framework. The frameworks should comprise a set of decision rules that drive the assessed risk level established by AMSA with industry, including surveyors, particularly for the commercial fishing and aquaculture fleets. The nature of other commercial classes of boats such as passenger vessels are very different, and the risk based framework could be set for each recognised sector of the DCV fleet.

It has become clear during our industry engagement that the AMSA system draws a variety of reactions, much of which can be attributed to the capacity of a business or enterprise being able to effectively engage with the system. There is a clear divide between:

- i. Large enterprises with significant fleets which are often better resourced with specialists in the business who have the capacity to more effectively manage safety, fleet maintenance and survey requirements etc.; and,
- ii. Small owner operators and those with only a couple of boats who struggle to understand the complexity of the legislation, Marine Orders and the underlying processes that support the AMSA framework.

The complexity of the fishing and aquaculture industry within and between these two categories means that a one size fits all approach to safety is problematic, due to capacity, understanding and culture within the sectors. Significantly, the AMSA legislation and orders are considered complex, if not more complex than the fisheries management systems that fishers must operate within and in some instances can be contradictory.

## Does the national law interact efficiently with other Commonwealth and State and Territory frameworks, particularly the Navigation Act 2012 (Navigation Act) and workplace health and safety regulations, as well as with international maritime safety obligations?

There is a strong perception that the current DCVS provisions are driven by the needs of other sectors rather than the seafood industry. The management and control of international shipping should not be integrated into the management of the domestic commercial fleet.

The overlap and emphasis of the national law with statutory obligations under the various state and Commonwealth workplace safety obligations is a source of confusion and conflict with owners and operators. While there is a strong emphasis on the application of safety management systems (SMS) on DCVs and the consequential emphasis on safety, there is a confusion between them and the necessary workplace safety obligations of an owner and employer, particularly in relation to operations that are carried out across jurisdictions (e.g. between State (3 n mile) and Commonwealth controlled waters).

An SMS has been broadly accepted as a key to enhancing a safety culture on-board. However, it should be a secondary process, such as a voluntary code, unless there is mutual recognition that an SMS meets the obligations under workplace safety requirements in all jurisdictions or vice versa. For that mutual recognition there may be a need for some refinement of the structure of an SMS. Any competing obligations merely adds complexity and burden on operators. There was a broad view that the SMS should be the over-riding standard for managing safety on-board DCVs across all jurisdictions. Given the states commitment to a national safety system regulated under a national standard the AMSA SMS should provide greater certainty with the AMSA process having primacy over competing or parallel state based WHS systems.

The current emphasis on standards and certification being based on the principle of length and engine capacity is in many cases seen as not the most appropriate criteria to assess risk-based considerations. Survey assessment and qualifications are intended to account for operational considerations for a vessel. It is the diversity of those operational considerations, such as the area of operation and the nature of the activity to be undertaken that should drive the design and standard for vessels.

Under a risk-based approach a rigid specification standard is not the most optimal approach. Explicit provisions based on operations should consider the specific risk profile of a range of options and an alternative suite of specifications, each of which could achieve an equivalence to the others. This would allow flexibility to design and operate each vessel to suit its intended use and environment.

At present there is a view that the current standard in facts limits innovation and the development of alternative approaches to design and operation. Boats are being built to fit within a length or engine power specification which does not necessary ensure the most efficient and safest vessel for the purpose for which it is designed.

There are a number of areas of competing or overlapping legislation that create challenges for the industry. While AMSA certificates have recognition as a marine engineer being competent to work on engines and electrical systems, those qualifications are not recognised by some state licensing bodies to do work for example on 240V systems on their vessel for which a certificate holder would have been

assessed. Consistent laws in relation to matters like crane safety and electrical systems will assist in clarity for operators and reduce instances of buck passing between agencies and jurisdictions, identified by respondents when seeking answers to questions on overlapping legislation.

## Is the scope of the definition of 'Domestic Commercial Vessels' appropriate to capture the types of vessels and operations that justify additional regulatory intervention under the National Law beyond existing WHS obligations?

Although the requirements for domestic commercial vessels are well understood, the complex exclusions for users or activities in the legislation is confusing. The use of any vessel for “a commercial purpose” should be sufficient to capture the range of vessels needed to be managed. For example vessels which are classified as recreational such as jet skis or unpowered like kayaks should be excluded from the scope. An extension of this would be to exclude vessels that operate in sheltered waters or at least revise on a risk based approach the level of standard required.

## Should the framework ensure the Navigation Act provides the default standards for commercial vessels?

The majority of stakeholders within the seafood industry had little or no knowledge of the Navigation Act and how it could relate to the DCV fleet.

The management of vessels operated inside of Australia’s EEZ should not be subject to the Navigation Act. The Maritime Safety (Domestic Commercial Vessel) National Act should recognise vessels that are registered as a regulated Australian vessel (RAV), while they are operated within the area of our EEZ.

There was a view that having the Navigation Act become the over-riding legislation would see a further drift to “big boat” thinking in design and standards creating further regulatory burden and cost on the industry as it seeks to upgrade or replace the current fleet.

## Is the definition of an “Owner” of a vessel in the National Law sufficiently clear and understood?

There needs to be consistency with other legislation at a state or Commonwealth level in defining an “owner” to ensure certainty, particularly in the case of safety management and incident reporting.

The different definitions and expectations of owners particularly when it comes to safety responsibilities given an owner has little legal capacity to interfere with the operation of a boat under the control of its master / skipper. This can place an unreasonable obligation on directors and owners and often leads to complex legal agreements between owners and skippers to separate and protect the parties from unreasonable risks.

Greater clarity on the primacy of the AMSA SMS or state WH&S obligations would also be addressed under this issue.



## Would expanding the Australian Transport Safety Bureau's role to include domestic commercial vessel safety support substantially improved safety outcomes for industry, as well as regulators and policy makers?

Familiarity of the Australian Transport Safety Bureau (ATSB) within the seafood industry is low. More information on how the role of the ATSB would replace, support or compliment the AMSA investigative processes would be required before a more informed response could be provided to this question.

The use of a further entity to be involved in the administration of the national legislation creates concerns regarding possible increased administrative complexity and costs to owners, as well as the risk of overlap of responsibilities under the competing legislation.

## Would removing, in whole or in part, current grandfathering provisions substantially improve safety outcomes? If so, how could industry be supported in making that transition?

COAG introduced the "grandfathering policy" recognizing that many in the DCV fleet were operating safely under their existing vessel's standard and management systems, using their existing vessel configurations and within their existing area of operation and thus should not be forced into major cost imposts to modernize or meet the various different standards across jurisdictions for little change in safety benefit at the vessel level.

It was understood that should an operator decide to "change operations" (e.g. from potting to trawling) or "modify the vessel" (e.g. change engine power, fit live fish tanks, new accommodation) or "change the area of operation" (e.g. fish further to sea beyond the prescribed survey limit) that decision would mean an assessment of risk under the AMSA system as to whether that vessel should have a change in status from being "grandfathered" and trigger the need to move towards meeting existing marine safety standards in the National law.

The recognition of a grandfathered vessel under the national system was identified in our survey as still currently limiting the ability to move a boat built to the current standard and under survey into another jurisdiction to undertake the same activities in the same types of waters with the same crewing standards. This was particularly relevant for enterprises that had fisheries and aquaculture operations in multiple jurisdictions which could not move a few boats in their fleets between jurisdictions without the risk of losing the grandfathered status of a vessel.

Industry also accepted that 'grandfathered vessels' were required to implement any new law requirements for crew numbers, crew competency and base safety equipment.

While there is progressive development of design and safety support systems, the removal of the range of grandfathering provisions would be a disaster to industry and owners. Any process that would force vessels that are sound and fundamentally safe to operate within their current environment into a different status (including non-compliant) would place a significant proportion of the industry at risk and severely compromising many owner operators and small businesses to meet any new standard. As such boats are being built to meet the formula of length / engine power requirements rather than to achieve the most efficient or safest vessel design.

There will continue to be a need for a transitional arrangement as vessels require major changes / refits to maintain their operational capacity. The transitional arrangements need to be clear and specific to enable owners to evaluate changes and improvements. There was a clear view that current “transition provisions” are not well understood by industry and the requirements are not clear, which limits the incentive to undertake progressive or staged upgrades to a vessel’s operational capacity. To do so puts a vessel’s “grandfathered” status at risk and so there is a disincentive to make progressive improvements to vessels.

Of relevance to this section is the feedback received regarding the small number of new vessels that are being built in Australia, and some of the challenges with the interpretation of the AMSA framework by ship builders, architects, surveyors and business owners. The high cost and extended time it takes to manufacture vessels is a disincentive to upgrade and creates a situation where there are a few new vessels and many older (grandfathered) vessels within the majority of fishing fleets around the country. There was a view that the overly prescriptive MO’s limits design flexibility and in doing so limits the incentive to invest in new vessels and even if boats were readily available many operators cannot afford to replace them.

In addition to the information included in this section, feedback from stakeholders in regards to grandfathering included:

- Large operators indicated grandfathering would become less prevalent as fisheries were unitized and rationalized.
- Smaller operators indicated the removal of grandfathering would cripple the industry, with many not able to replace or upgrade vessels if this was required.
- The number of vessels with grandfather status amongst different fleets varied, with some inshore fleets being up to 80% grandfathered, with many other fisheries having a high proportion of grandfathered vessels.
- Safety on vessels is generally being improved regardless of the status of the vessel but there needs to be a bridge to enable operators to upgrade without losing their grandfathering arrangements.

## Does the current framework provide clear and simple standards for operators to meet their safety requirements? If not, how could it be improved?

Most respondents indicated the framework, particularly the overarching legislation, provides a solid base for prescribing safety requirements and improving safety outcomes. The challenge identified by respondents is the implementation of the framework in a practical and operational context. There is a view that the current framework does not provide for clear and simple standards for vessel design and safety. Rather than providing a clear set of parameters that a design must achieve, the current system seeks to constrain the potential for development within classic narrow and “enforceable” standards.

As described above, the design standards should contain a set of equivalent options for specifications based on clear risk profiles, each of which achieves a common outcome but allows for a flexible mix of alternative designs and systems to achieve a “safe” vessel, which is fit for its operational requirements.

The removal of surveyors from state-based agencies was discussed, with both negative and positive experiences occurring. Feedback through the consultation indicated many operators struggled to understand the standards and had a heavy reliance on AMSA Liaison Officers and Surveyors when seeking

to meet survey requirements, undertaking modifications to vessels or new builds. The complexity of the new standards within the Marine Orders is a disincentive to industry progressing with a more modern fleet therefore bringing with it a greater safety standard and awareness.

Challenges faced by industry included questions and points of clarification taking an extended time when being sought through AMSA, and mixed information coming back depending on who you talked to. The potential to have an expert surveyor appointed in each jurisdiction to bridge the gap between the states and the Canberra head office was suggested. A positive of this approach was thought to be a greater understanding of the operating environment in each state and a direct line between surveyors, owners and the regulator.

The training level of surveyors was also raised by respondents, with variability from region to region and within regions, and the differences in interpretation between contract surveyors and AMSA surveyors creating challenges in relation to timing and guidance from survey to survey. Monitoring and training of accredited surveyors and the provision of regular workshops may assist with this disconnect and result in a more consistent interpretation of the requirements. Consideration of moving to the New Zealand system by setting technical standards and authorising surveyors (or companies) through a trust and verify scheme. It was thought this approach may assist in reducing red tape and ease the Canberra-centric “big boat” mentality which many respondents considered prevalent in many cases.

Accessibility to information on the AMSA website, including more simple access to key information for smaller operators with DCV was raised by a number of respondents. The common experience was, even when seeking information to inform SMS and other matters sourcing information on the website through menus was very difficult. An overhaul of the menu structure, which generally moved fisheries and aquaculture operators into trawling or stability information would assist in a better understanding of the standards.

## Does the current framework provide an effective and practical range of compliance powers and enforcement tools for AMSA?

A framework that allows owners and designers the capacity to take a flexible approach would be the best approach to having an effective compliance. The survey process provides the basis for a compliance and enforcement approach which should only be linked to failure to maintain a vessel to its certified standard.

Throughout our interviews:

- Operators who have built new boats or upgraded vessels indicated the current online system was problematic and seeking support from AMSA officers did not always lead to quick answers to issues, as the level of understanding of AMSA officers varied.
- Suggestions to reduce red tape and allow for effective enforcement included decoupling of certificates which need to be maintained for DCV (survey and operations). The majority of the fishing industry are not aware of why they have a certificate of survey and a certificate of operations, and the removal of the requirement to maintain both of these (Marine Order 503 and 504) would assist in removing red tape for the fisheries and aquaculture fleet.
- The potential removal of a certain size of vessel (e.g. less than 7.5 m) from requirements under the current framework would also assist in removing red tape, with minimum requirements for safety being considered under other regulations or specific alternative provisions, like WHS legislation.

- Respondents made comments around the effectiveness of AMSA in treating DCV withing the fishing and aquaculture fleets in the same way as large foreign vessels, particularly through the disconnect between the Canberra head office, and being on ground in the ports. Mention was made on the move towards greater enforcement (including the wearing of body cameras) taking away from the education-based approach which respondents believe would give the maximum safety benefit.
- Feedback was that some aspects of the National Law (e.g. Coxswain 3 NC Certificate of Competency) have been significantly amended from their original intent to simplify the system but in this instance it was suggested it is not appropriate.

## Are there specific safety initiatives that would substantially improve safety outcomes?

The development of modified on-board operations provides an opportunity to improve safety outcomes for crew.

The need for improved safety and initiatives that support a stronger safety culture within the seafood industry are well recognised. SIA through a partnership with AMSA and the Fisheries Research and Development Corporation (FRDC) has initiated a “peer to peer” engagement program called the SIA Safety Project designed to increase awareness of personal safety and effect culture change. Personal safety must be considered along with vessel safety for improved safety outcomes. Improved personal safety will lead to operators being more aware of their operating environment and will enable them to more critically examine practices and processes from a safety perspective.

Examples of initiatives which had the potential to increase safety outcomes provided during industry engagement included:

- Indirect training on relationships and leadership, which led to greater dialogue and understanding between owners/skippers and crew.
- Cultural change rather than an enforcement approach has been shown to work well in other countries. Capacity building for operators in the DCV fleet was a common initiative which was raised by multiple respondents, either through improving knowledge in peak bodies, associations at a sector or individual level.
- To build capacity access to electronic initiatives for safety and reporting using electronic means would assist smaller operators. AMSA should have a role in this as building communication channels and trust will assist greatly in breaking down the barriers of age, education and ethnicity which exist within many of the smaller operators.
- Stakeholders agreed that incentivising positive outcomes through rewarding compliance would encourage individuals to adapt. However, this needs to be a stepwise approach rather than an immediate change from grandfathering to transitioning. Guidance on the timeframes for these changes would be important, to provide operators with certainty to enable planning without the risk of suddenly becoming non-compliant.
- Many of the stakeholders raised concerns that the current environment and incentives to build a new vessel was limiting the current framework. Returning to an initiative like the “Ship Bounty Scheme” may provide the impetus for new builds, which may start a cascade of newer vessels built to modern safety standards being available to operate in various fisheries and aquaculture

operations around Australia. It was agreed there needed to be a change to the current system to inject new vessels into the fleet particularly for small to medium operators.

## What can be done to improve safety incident reporting both for safety and Workplace Health and Safety purposes?

During our engagement, many fisheries and aquaculture stakeholders acknowledged reporting of incidents has led to validation of existing safety measures that they have put in place, including receiving feedback and advice from AMSA through investigations into these reports. Some smaller operators indicated reporting was generally low across their sectors as, unless the consequence was catastrophic operators generally do not report. Some mentioned the challenge of having to do multiple reports under the AMSA reporting system or reporting for both AMSA and the state based WHS legislation, thus duplicating the process.

In addition, the complacency of operators increasing the consequence of incidents was of concern to some stakeholders. It was agreed that the increase in electronic equipment including mobile phones and GPS had let to a safer operating environment, with greater access to more timely detailed weather information also a positive.

In addition to the quarterly regional meetings, at a broader level more regular roundtable meetings with AMSA were agreed to be of benefit when it came to discussing safety and incidents. Providing incentives for safety outcomes as discussed in the previous section may also have a positive impact on reporting.

A “no blame” approach to safety investigations was strongly supported to improve and further enhance a safety culture. This approach applies in most workplace safety legislation and ensures better reporting and responsiveness to incidents. This enables the incidents to be more readily acknowledged and therefore actions are more likely to be reflected in changes to systems and increased safety is achieved.

## Thank you

In conclusion, SIA asks the Department of Infrastructure, Transport, Regional Development and Communications to consider the recommendations raised in this submission.

SIA, on behalf of our members and the entire Australian seafood industry, would like to thank you for taking the time to review our submission. I welcome the opportunity to discuss any of our requests with you further and can provide more details if needed.

Yours sincerely,



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