



Australian Government
Australian Maritime Safety Authority

Marine Orders

Part 63

AUSREP

Issue 1

Order No.11 of 2006

Pursuant to subsection 425(1AA) of the *Navigation Act 1912* and section 4 of the *Acts Interpretation Act 1901*, I hereby make this Order issuing the attached Marine Orders, Part 63, Issue 1, to come into operation on 6 October 2006.

Clive Davidson
Chief Executive Officer
6 September 2006

Table of Contents

1	Purpose & power
2	Definitions of words and phrases used in this Part
3	Interpretation
4	Application
5	Prescribed matters
6	Obligation to report
Appendix 1	AUSREP reporting requirements
Appendix 2	AUSREP area

1 Purpose & power

1.1 Purpose

1.1.1 Consistent with Regulation 7 of Chapter V of SOLAS and Chapter 5 of the Annex to the International Convention on Maritime Search and Rescue, 1979, the objects of Division 14 of Part IV of the Navigation Act include the making of provisions with respect to the reporting of the movement or intended movement of ships so as to enable Australia:

- (a) to exercise rights conferred, or carry out the duties imposed, on Australia under customary international law or as a contracting party under international treaties that provide for:
 - (i) coast watching; and
 - (ii) the rescue of persons in distress at sea; and
 - (iii) the prevention, minimisation or reduction of pollution of the sea by ships or by activities associated with ships; and
 - (iv) the safety of ships; and
 - (v) the safeguarding of ships against any unlawful interference with maritime transport; and
 - (vi) any other matter in respect of which a right is conferred, or a duty imposed, on Australia; and
- (b) to establish reporting requirements for Australian ships.

1.1.2 This Part contributes to these objects by establishing a system for the reporting of the movement or intended movement of ships in, or in the process of entering or leaving, the AUSREP area.

1.2 Power

1.2.1 Section 269D of the Navigation Act provides that the regulations may make provision for, and in relation to, the reporting requirements:

- (a) of all ships (other than Australian ships) that are in, or in the process of entering or leaving, the prescribed area in relation to a reporting matter; and
- (b) of all Australian ships wherever located.

1.2.2 Subsection 425(1) of the Navigation Act provides for regulations to be made prescribing matters requiring or permitted to be prescribed, or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.

1.2.3 Subsection 425(1AA) of the Navigation Act provides for the making of orders with respect to matters that can be made by the regulations.

2 Definitions of words and phrases used in this Part

AUSREP means the Australian Ship Reporting System established by this Part;

AUSREP area means the area described in Appendix 2;

Navigation Act means the *Navigation Act 1912*;

penal provision means a penal provision for the purposes of Regulation 4 of the Navigation (Orders) Regulations;¹

SOLAS means the Safety Convention as defined in the Navigation Act.

3 Interpretation

In this Part:

- (a) headings and subheadings are part of the Part;
- (b) each Appendix is part of the Part;
- (c) a footnote is not part of the Part, but may provide additional information or guidance in applying the Part.

4 Application

This Part applies to the following ships while in the AUSREP area:

- (a) an Australian ship;² and
- (b) a ship (other than an Australian ship) from its arrival at its first port in Australia until its departure from its final port in Australia.³

¹ Subregulation 4(1) of the Navigation (Orders) Regulations provides that a person who fails to comply with a provision of an order made under subsection 425(1AA) of the Navigation Act that is expressed to be a penal provision is guilty of an offence and is punishable by:

- (a) if the offender is an individual—a fine not exceeding 20 penalty units; or
- (b) if the offender is a body corporate—a fine not exceeding 50 penalty units.

By virtue of section 4AA of the *Crimes Act 1914*, a penalty unit is equivalent to \$110.

² Section 269B of the Navigation Act defines an Australian ship for the purposes of Division 14 of Part IV as a ship to which Part II of the Navigation Act applies.

³ The AUSREP system is designed to assist AMSA carry out its functions in a search and rescue situation. For this reason, all commercial ships are encouraged to participate whenever they are in the AUSREP area, even when it is not mandatory for them to do so.

5 Prescribed matters

For the purposes of the definition of *prescribed area* in section 269B of the Navigation Act, the prescribed area is the AUSREP area.

6 Obligation to report

6.1 Subject to 6.2, the master of a ship in the AUSREP area must make to Rescue Coordination Centre (RCC) Australia,⁴ or arrange the making to RCC Australia, of the following reports:⁵

- (a) a Sailing Plan in accordance with 1 of Appendix 1;
- (b) Position Reports in accordance with 2 of Appendix 1;
- (c) a Deviation Report (if applicable) in accordance with 3 of Appendix 1; and
- (d) a Final Report in accordance with 4 of Appendix 1,

using a method specified in Appendix 1.

This is a penal provision.

6.2 A master of a ship reporting to REEFCENTRE in accordance with Marine Orders, Part 56 (REEFREP) is not required to report under this Part for such time as the ship is in the REEFREP area.

6.3 The language to be used for reporting is English, using the IMO *Standard Marine Communications Phrases*.⁶

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⁴ RCC Australia can be contacted on Telex: 7162349, Telephone: +61 (0)2 6230 6811, Freecall:1800 641 792 (within Australia), Facsimile: +61 (0)2 6230 6868, AFTN: SARYCYX, E-mail: rccaus@amsa.gov.au.

⁵ Refer to IMO Resolution A.851(20): *General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants*, as amended by MEPC.138(53). Copies of IMO resolutions referred to in this Part are available from AMSA.

⁶ Refer to IMO Resolution A.918(22).

Appendix 1

AUSREP reporting requirements⁷

1 Sailing Plan

1.1 When Sailing Plan must be submitted

1.1.1 A Sailing Plan must be submitted in respect of an Australian ship:

- (a) no earlier than 24 hours before; and
- (b) no later than 2 hours after,

the ship:

- (c) enters the AUSREP area; or
- (d) departs from a port within the AUSREP area.

1.1.2 A Sailing Plan must be submitted in respect of a ship (other than an Australian ship):

- (a) no earlier than 24 hours before; and
- (b) no later than 2 hours after,

the ship departs from a port within the AUSREP area.

1.1.3 If the ship in respect of which a Sailing Plan has been submitted enters the AUSREP area or departs from a port within the AUSREP area more than 2 hours after the time specified in the Sailing Plan, the Sailing Plan is deemed to be cancelled.

1.1.4 A new Sailing Plan must be submitted in respect of a ship:

- (a) if the Sailing Plan previously submitted is deemed to be cancelled under 1.1.3;
or
- (b) if information contained in the Sailing Plan previously submitted is no longer valid.

1.2 How Sailing Plan is to be submitted

1.2.1 Subject to 1.2.2, the master of a ship must submit a Sailing Plan using Inmarsat-C, whether at sea or in port.

⁷ A brochure describing in more detail the arrangements for reporting is obtainable from AMSA. It can be downloaded from www.amsa.gov.au.

1.2.2 If, for any reason, communication is not possible via Inmarsat C, the required information must be passed by alternative means using one or more of the following (in order of preference):

- (a) HF DSC;
- (b) other INMARSAT phone/fax/telex service; and
- (c) other (non-Inmarsat) satellite phone/fax/ telex service.

1.3 Information to be provided in Sailing Plan

The following information, in the order shown using the IMO message format fields for ship reporting,⁸ must be provided in the Sailing Plan:

- A. ship name, callsign and IMO number;
- F. speed;
- H. date and time (in UTC) and point of joining the AUSREP system (i.e. either the latitude and longitude of point entering the AUSREP area or the Australian port of departure);
- K. date and time (in UTC) and point of departure from the AUSREP system (i.e. either the latitude and longitude of point departing the AUSREP area or the Australian port of arrival);
- M. communication arrangements;
- N. agreement by the master to Inmarsat-C Polling by inserting word "POLL". If unable to poll, date and time (in UTC) of next report. If no reports are to be sent in respect of the outbound voyage of a ship (other than an Australian ship), the master is to insert the word "NOREP";
- V. medical personnel aboard.

The following additional fields should be included if appropriate:

- G. name of last non-Australian port of call;
- I. next non-Australian port of destination and estimated time of arrival at that port;
- R. brief details of any pollutants (oil, chemicals, etc) lost overboard from the ship and any pollutants observed that may have originated from another ship;
- Q. defects or other limitations, such as damage, failure or breakdown affecting the safety of the ship;
- X. remarks;

⁸ Refer to IMO Resolution A.851(20), as amended by MEPC.138(53).

Y. request to relay report to AMVER.

2 Position Reports

2.1 How Position Reports are to be submitted

2.1.1 Subject to 2.1.2, the master of a ship must make the ship available to be polled by AMSA using Inmarsat-C to obtain positions.

2.1.2 If:

- (a) Inmarsat-C polling cannot be used to obtain the position of a ship; or
 - (b) RCC Australia directs the master so to do,
- the master must report positions using Inmarsat-C or HF DSC.

2.2 When Position Reports must be submitted, if not polled

The master of a ship who is reporting positions using Inmarsat-C or HF DSC must do so once every day at a nominated time between the hours of 2200 UTC and 0800 UTC.⁹

2.3 Information to be provided in Position Reports

The following information, in the order shown using the IMO message format fields for ship reporting, must be provided in position reports:

- A. ship name, callsign and IMO number;
- B. date and time (in UTC) of report;
- C. position (latitude and longitude);
- E. course;
- F. speed;
- N. date and time (in UTC) of next report (if Inmarsat-C polling not being used).

The following additional fields should be included if appropriate:

- X. remarks; or
- Y. request to relay report to AMVER.

⁹ Ships participating in AUSREP through Inmarsat-C polling will be polled by AMSA every 12 hours or at an interval as seen fit to meet the circumstances at the time.

3 Deviation Reports

3.1 When Deviation Reports must be submitted

If a deviation has been made from the course and speed nominated in the Sailing Plan of a ship such that the ship will be more than two hours steaming from a position predicted from the Sailing Plan or last position reported, the master must submit a Deviation Report.

3.2 How Deviation Reports are to be submitted

The master of a ship must submit a Deviation Report using Inmarsat-C or HF DSC.

3.3 Information to be provided in Deviation Reports

The following information, in the order shown using the IMO message format fields for ship reporting, must be provided in Deviation Reports:

- A. ship name, callsign and IMO number;
- B. date and time (in UTC) of report;
- C. position (latitude and longitude);
- N. date and time (in UTC) of next report (if Inmarsat-C polling not being used);
- X. reason for deviation.

4 Final Report

4.1 When Final Report must be submitted

4.1.1 A Final Report must be submitted in respect of an Australian ship no later than 2 hours after the ship leaves the AUSREP area or arrives at a port within the AUSREP area.

4.1.2 A Final Report must be submitted in respect of a ship (other than an Australian ship) no later than 2 hours after:

- (a) the ship arrives at an Australian port on a voyage during which AUSREP reports have been submitted in respect of the ship; or

- (b) the ship leaves the AUSREP area on a voyage during which AUSREP reports have been submitted in respect of the ship.¹⁰

4.2 How Final Reports are to be submitted

The master of a ship must submit a Final Report using Inmarsat-C or HF DSC.

4.3 Information to be provided in Final Reports

The following information, in the order shown using the IMO message format fields for ship reporting, must be provided in Final Reports:

- A. Ship name, callsign and IMO number;
- K. date and time (in UTC) and point of departure from the AUSREP system (i.e. either the latitude and longitude of point departing the AUSREP area or the Australian port of arrival).

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¹⁰ If the master of a ship (other than an Australian ship) chooses not to report during the ship's outbound voyage, the Sailing Plan will be regarded as the Final Report in respect of the ship if the word "NOREP" is entered at field N.

Appendix 2

AUSREP area

The area bounded by an imaginary line commencing at the intersection of the coastline of the Antarctic Continent and the meridian 75° east longitude;

thence along that meridian to its intersection with the parallel 6° south latitude;

thence in a straight line to the intersection of the parallel 2° south latitude and the meridian 78° east longitude;

thence along that parallel to its intersection with the meridian 92° east longitude;

thence in a straight line to the intersection of the parallel 12° south latitude and the meridian 107° east longitude;

thence along that parallel to its intersection with the meridian 123° 20' east longitude;

thence in a straight line to the intersection of the parallel 9° 20' south latitude and the meridian 126° 50' east longitude;

thence in a straight line to the intersection of the parallel 7° south latitude and the meridian 135° east longitude;

thence in a straight line to the intersection of the parallel 9° 50' south latitude and the meridian 139° 40' east longitude;

thence along that parallel to its intersection with the meridian 141° east longitude;

thence in a straight line to the intersection of the parallel 9° 37' south latitude and the meridian 141° 01' 06" east longitude;

thence in a straight line to the intersection of the parallel 9° 08' south latitude and the meridian 143° 53' east longitude;

thence in a straight line to the intersection of the parallel 9° 24' south latitude and the meridian 144° 13' east longitude;

thence in a straight line to the intersection of the parallel 12° south latitude and the meridian 144° east longitude;

thence along that parallel to its intersection with the meridian 155° east longitude;

thence along that meridian to its intersection with the parallel 14° south latitude;

thence along that parallel to its intersection with the meridian 161° 15' east longitude;

thence in a straight line to the intersection of the parallel 17° 40' south latitude and the meridian 163° east longitude;

thence along that meridian to its intersection with the coastline of the Antarctic Continent;

thence along that coastline to the point of commencement.

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