



Australian  
**BORDER FORCE**

# Australian Border Force Vessel Management Plan

*Cape Class Patrol Boat*

Version 1.4  
Original signed 17 May 2017

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## Vessel Management Plan Amendment Record

ABFC Cape Class Vessels
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This Australian Border Force Vessel Management Plan (VMP) was prepared by the Department of Home Affairs, which includes the Australian Border Force (ABF), in consultation with DNV GL Australia Pty. Limited (DNV-GL), for acceptance by the Australian Maritime Safety Authority in accordance with the *Navigation Regulations 2013* and under section 11 of the *Navigation Act 2012*.

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### Approvals & endorsements from V1.0 (ORIGINAL COPY IN TRIM):

Reviewed and endorsed for approval by:			
Version	Title	Name s47E(c)	Date of approval
1.0	Commander Air and Marine	David Luhrs	1 Dec 16
1.0	Assistant Commissioner Border Force Capability Division Designated Person Ashore (DPA)	Peter Docwra s47E(c)	2 Dec 16
1.0	Acting Deputy Commissioner Support	Jim Williams s47E(c)	14 Dec 16
1.0	Commissioner Australian Border Force (as the Comptroller-General of Customs)	Roman Quaadvlieg s47E(c)	15/12/16
1.0	DNV GL Organisation for reviewing DIBP ABF (Vessel Management Plans)	s47F s47E(c)	23/12/16
1.0	Australian Maritime Safety Authority		

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Version	Title	Name	Date of approval
1.0	Australian Maritime Safety Authority (AMSA) Vessel Management Plan, Flag State approving authority.	s47F s47E(c)	29 NOV 2016 

**Annual Review 2019 endorsed by (ORIGINAL COPY IN TRIM):**

Version	Title	Name	Date of approval
1.4	Maritime Safety & Operations Superintendent.	s47E(c)	s47E(c) 14 June 19

NOTE: Refer to s22(1)(a)(ii)  
s22(1)(a)(ii)



## Part 3 Accommodation – crew

### 36. Location of crew accommodation

1. Sleeping rooms for crew members on *Cape Class* patrol boats must be located above the load line amidships or forward but behind the collision bulkhead.
2. The location of sleeping rooms must not:
  - a. be unreasonable; or
  - b. cause discomfort to officers.

**Reference: Marine Order 11, section 40**, MO 14 has been replaced with MO 11 with the exception of the following section which is in force for vessels builds pre-2013 in MO 11 i.e. 6 (6) (a) A vessel that was constructed before 21 August 2013 is taken to comply with Divisions 6, 7, 8, 9 and 10 and paragraph 61(1)(b) if it complies with: (a) Marine Orders – Part 14: Accommodation, Issue 1 as in force on 30 June 2013; or (b) Section C1 of the NSCV; or (c) ILO Conventions No. 92 and 133.

NON-COMPLIANCE WITH THE NAVIGATION ACT
The location of sleeping rooms on <i>Cape Class</i> patrol boats cannot meet Marine Order 11 requirements because the design of the vessel is focussed on law enforcement capability. It is impractical for sleeping rooms to be located according to the provisions in Marine Order 11
RISK ASSESSMENT
There is a risk of fatigue or crew discomfort as a result of this non-compliance, as the location of sleeping rooms may be more noisy or unstable.
MITIGATION
<p>The SMS establishes procedures for monitoring sea conditions, ship handling and crew condition and adjusting speed and heading, primarily in SMS, WI, NS 1003 <i>Navigational Standards</i> but also in a number of associated Work Instructions. These procedures assist in maintain smooth travel and ensuring that all officers are able to rest adequately regardless of the location of their sleeping room, SMS, WI, SM 1002 <i>Fatigue Management and Recording of Hours Onboard ACVs</i>.</p> <p>Consequence: Moderate Likelihood: Rare Level of risk: Low</p>

### 37. Furniture etc. in sleeping rooms – crew

1. Wherever possible, all Marine Unit Enforcement Officers will share one of the nine two-berth sleeping rooms.
2. If additional Marine Unit Enforcement Officers are carried, and the three-berth passenger sleeping room is available, the additional Marine Unit Enforcement Officers may be accommodated in the single three-berth sleeping room.

3. The allocation of sleeping rooms on *Cape Class* patrol boats must comply with SMS, WI, SM 2015 *Cabin Assignments*, in particular in relation to:
  - a. cohabitation of males and females; and
  - b. cohabitation of officers assigned to different watchkeeping routines.
4. A two berth sleeping room must contain, for each occupant or shared between two occupants:
  - a. a clothes locker;
  - b. a table;
  - c. a mirror;
  - d. a small cabinet for toiletries;
  - e. a book rack; and
  - f. curtains or equivalent window covering for side lights.

*Reference: Marine Order 11, section 40, MO 14 has been replaced with MO 11 with the exception of the following section which is in force for vessels builds pre-2013 in MO 11 i.e. 6 (6) (a) A vessel that was constructed before 21 August 2013 is taken to comply with Divisions 6, 7, 8, 9 and 10 and paragraph 61(1)(b) if it complies with: (a) Marine Orders – Part 14: Accommodation, Issue 1 as in force on 30 June 2013; or (b) Section C1 of the NSCV; or (c) ILO Conventions No. 92 and 133.*

NON-COMPLIANCE WITH THE NAVIGATION ACT
The nature of the Marine Unit Enforcement Officer role requires flexible living arrangements, and operational demands will require officers to cohabitate as necessary.
RISK ASSESSMENT
There is a risk of fatigue induced by shared accommodation arrangements which may be considered disruptive to sleeping patterns.
MITIGATION
<p>The nature of <i>Cape Class</i> patrol boats vessels and the requirement for a large crew relative to the size of the ship requires some compromises in crew amenity. This does not present a safety risk. Marine Unit Enforcement Officers sleeping rooms will contain two berths, and will be allocated in accordance with SMS, WI, SM 2013 <i>Cabin Assignments</i>. While this may mean sleeping rooms must be shared between males and females, or officers on different watch schedules, this will be avoided wherever possible when considering operational requirements. Refer to SMS, WI, SM 1002 <i>Fatigue Management and Recording of Hours Onboard ACVs</i>.</p> <p>Consequence: Minor Likelihood: Unlikely Level of risk: Low</p>



### 38. Sleeping arrangements for Commanding Officers and Engineering Officers

1. The Commanding Officer and the Engineering Officer must have individual sleeping rooms.

*Reference: Marine Order 11, section 40, MO 14 has been replaced with MO 11 with the exception of the following section which is in force for vessels builds pre-2013 in MO 11 i.e. 6 (6) (a) A vessel that was constructed before 21 August 2013 is taken to comply with Divisions 6, 7, 8, 9 and 10 and paragraph 61(1)(b) if it complies with: (a) Marine Orders – Part 14: Accommodation, Issue 1 as in force on 30 June 2013; or (b) Section C1 of the NSCV; or (c) ILO Conventions No. 92 and 133.*

#### NON-COMPLIANCE WITH THE NAVIGATION ACT

Marine Order 11 requires officers to have individual sleeping rooms. Only the Commanding Officer and the Engineering Officer have individual sleeping rooms on board *Cape Class* patrol boats.

Patrol boats are required to be able to access shallow waters and transport numbers of transportees. As such, patrol boats cannot be large vessels and it is not possible to provide individual sleeping rooms for Deputy Engineering Officers or sitting rooms for Commanding Officers, Engineering Officers and Deputy Engineering Officers, or a separate day room for officers.

All other officers are required to share a cabin with one other person.

#### RISK ASSESSMENT

Officers other than the Commanding Officer and Engineering Officer will be required to share a cabin with another occupant, possibly resulting in an inability to gain adequate or quality rest and recreation during time off. This may result in increased fatigue, which could have consequences for the management of the vessel.

#### MITIGATION

The cabins in *Cape Class* patrol boats are designed to ensure that a reasonable level of quality rest and recreation can be achieved. The vessel is fitted with sufficient area and equipment to allow staff to rest and to exercise. In addition refer to SMS, WI, SM 1002 *Fatigue Management and Recording of Hours Onboard ACVs*.

The crew rotations are every 28 days, limiting the time period in which fatigue may occur.

Officers must comply with fatigue management protocols.

Consequence: Moderate

Likelihood: Rare

Level of risk: Low

### 39. Sanitary facilities

1. Sanitary facilities must be provided for all officers on board Cape Class patrol boats.
2. There must be sanitary facilities easily accessible from the following places:
  - a. the navigation bridge; and
  - b. the mess room.

*Reference: Marine Orders Part 11, Schedule 8 section 6 (a) MO 14 has been replaced with MO 11 with the exception of the following section which is in force for vessels builds pre-2013 in MO 11 i.e. 6 (6) (a) A vessel that was constructed before 21 August 2013 is taken to comply with Divisions 6, 7, 8, 9 and 10 and paragraph 61(1)(b) if it complies with: (a) Marine Orders – Part 14: Accommodation, Issue 1 as in force on 30 June 2013; or (b) Section C1 of the NSCV; or (c) ILO Conventions No. 92 and 133.*

NON-COMPLIANCE WITH THE NAVIGATION ACT
<p>Cape Class patrol boats do not provide separate sanitary facilities for males and females. Cabins will be allocated in accordance with SMS, WI, SM 2015 <i>Cabin Assignments</i>, which may make it necessary in some circumstances for male and female officers to share a cabin and sanitary facilities.</p> <p>There will not be dedicated sanitary facilities or a change room located in close proximity to the machinery space or engine room control centre. Facilities are provided in cabins which are in close proximity to these locations.</p>
RISK ASSESSMENT
There is a risk that the sanitary facilities will be insufficient.
MITIGATION
<p>The nature of Cape Class patrol boats and the requirement for a large crew relative to the size of the ship requires some compromises in crew amenity that does not present a safety risk. Sleeping rooms will be allocated in accordance with SMS, WI, SM 2015 <i>Cabin Assignments</i>. While this may mean sleeping rooms, and by extension sanitary facilities must be shared between males and females, this situation will be avoided wherever possible when considering operational requirements.</p> <p>There are no separate sanitary facilities or change room located outside and easily accessible to the machinery space. However this space is usually unmanned and officers will be able to utilise facilities in cabins which are in close proximity.</p> <p>Consequence: Insignificant Likelihood: Rare Level of risk: Low</p>

### 40. Medical treatment facility

1. The medical treatment facility must:



- a. in all weathers:
  - i. be of easy access; and
  - ii. provide comfortable housing for the occupants; and
  - iii. be conducive to the patient receiving prompt and proper attention; and
- b. be designed to facilitate:
  - i. emergency medical consultation; and
  - ii. the giving of first aid; and
  - iii. prevention of the spread of infectious disease; and
- c. have the following, designed to ensure the comfort and facilitate the medical treatment of the occupants:
  - i. equipment;
  - ii. layout;
  - iii. furniture;
  - iv. lighting;
  - v. ventilation;
  - vi. heating; and
  - vii. water supply.

*Reference: Marine Orders Part 11, Schedule 9 Sections (a) to (f) MO 14 has been replaced with MO 11 with the exception of the following section which is in force for vessels built pre-2013 in MO 11 i.e. 6 (6) (a) A vessel that was constructed before 21 August 2013 is taken to comply with Divisions 6, 7, 8, 9 and 10 and paragraph 61(1)(b) if it complies with: (a) Marine Orders – Part 14: Accommodation, Issue 1 as in force on 30 June 2013; or (b) Section C1 of the NSCV; or (c) ILO Conventions No. 92 and 133.*

#### NON-COMPLIANCE WITH THE NAVIGATION ACT

Cape Class patrol boats do not comply with the Marine Order 11 for hospital accommodation. This is due to the fact that the primary function of Australian Border Force vessels is law enforcement. The design of Cape Class patrol boats is based upon a requirement for the ability to access areas of shallow water and the accommodation of transportees. Due to this, the space that is available for medical treatment and accommodation is limited.

The medical treatment facility on Cape Class patrol boats does not comply with the requirements within Marine Order 11 Schedule 12. The areas of non-compliance include:

- a lack of dedicated sanitary facilities (while a basin is provided, a shower and head are not); and

## Attachment A3.

Marine Order Part 11: Living and working conditions on vessels (compilation date 8<sup>th</sup> Jan 2019)

Marine Order provision		Location of provision
Cape Class Patrol Boats	Compliant or exempt as shown	Exempt or contained in the VMP
Division 3	Recruitment and placement	
10	Copy of Maritime Labour Convention	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
Division 4	Engagement and working conditions of seafarers	
21	Work agreements	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
22	Notice period for termination	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
23	Opportunity to seek advice	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
27	Wages	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
31	Repatriation	Cape Class Patrol Boats are exempt by operation of Marine

Marine Order provision		Location of provision
		Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
32	Paying for repatriation	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
33	Repatriation transport	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
34	Timeframe for claim	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
35	Repatriation by AMSA	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
<b>Division 6</b>	<b>Accommodation — design and construction</b>	
38	Small vessels	Exempt due to date of construction
39	Headroom	Exempt due to date of construction
40	Location of sleeping rooms	Exempt due to date of construction
41	Sleeping rooms	Exempt due to date of construction
42	Sleeping berths	Exempt due to date of construction
43	Insulation	Exempt due to date of construction



Marine Order provision		Location of provision
44	Pipes	Exempt due to date of construction
45	Vessel batteries	Exempt due to date of construction
46	Bulkhead and deckhead surfaces	Exempt due to date of construction
47	Decks and flooring	Exempt due to date of construction
48	Air conditioning	Exempt due to date of construction
49	Heating	Exempt due to date of construction
50	Lighting	Exempt due to date of construction
51	Mess rooms	Exempt due to date of construction
<b>Division 7</b>	<b>Accommodation — general requirements</b>	
52	Noise	Exempt due to date of construction
53	Inspections	Exempt due to date of construction
<b>Division 8</b>	<b>Accommodation — sanitary and laundry facilities</b>	
54	Sanitary facilities	Exempt due to date of construction
55	Laundry facilities	Exempt due to date of construction
<b>Division 9</b>	<b>Hospital facilities</b>	
56	Hospital accommodation	Exempt due to date of construction
<b>Division 10</b>	<b>Recreational facilities</b>	

Marine Order provision		Location of provision
57	Recreational facilities, amenities and services	Exempt due to date of construction
58	Common vessel's office	Exempt due to date of construction
<b>Division 11</b>	<b>Provisions</b>	
60	Training of persons processing food	VMP
<b>Division 12</b>	<b>Health</b>	
64	Medical care for seafarers working on board	VMP
65	Right to visit a medical practitioner or dentist	VMP
66	Medical services at no charge	VMP
<b>Division 14</b>	<b>Shipowners' liability</b>	
74	Financial security	VMP
75	Incapacity	VMP
76	Limitation of liability	VMP
77	Property	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
<b>Division 14</b>	<b>Maritime labour certificate and declaration of maritime labour compliance</b>	
78	Requirement for maritime labour certificate	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
79	Declaration of maritime labour compliance	The Department is not required to apply for a maritime labour certificate for vessels to which

Marine Order provision		Location of provision
		the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
80	Documents to be carried on board	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
<b>Division 16</b>	<b>Maritime labour certificates</b>	
81	Application for maritime labour certificate (MLC)	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
82	Issuing criteria	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
83	Duration of maritime labour certificate (MLC)	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
84	Intermediate inspection	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not



Marine Order provision		Location of provision
		commercial vessels to which the Maritime Labour Convention applies.
85	Renewal of maritime labour certificate (MLC)	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
86	Criteria for revocation	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
<b>Division 17</b>	<b>Interim maritime labour certificates (MLC)</b>	
87	Application for interim maritime labour certificate (MLC)	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
88	Criteria for interim maritime labour certificate (MLC)	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
89	Duration of interim maritime labour certificate (MLC)	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the

Marine Order provision		Location of provision
		Maritime Labour Convention applies.
<b>Division 18</b>	<b>Onboard complaints</b>	
90	Onboard complaint procedure	VMP
91	Copy of procedure	VMP
92	Complaint not resolved on board	VMP
93	Recording complaints	VMP
94	No adverse action	VMP
<b>Division 19</b>	<b>Onshore complaints</b>	
96	Report of Maritime Labour Convention breach	The Department is not required to apply for a maritime labour certificate for vessels to which the VMP applies, as Australian Border Force vessels are not commercial vessels to which the Maritime Labour Convention applies.
<b>Schedule 3</b>	<b>Seafarer's work agreement information</b>	Cape Class Patrol Boats are exempt by operation of Marine Order 62, Application 4, Section 4.1 (c) Note 2: Exemption 2012 (No. 1)
<b>Schedule 4</b>	<b>Sleeping rooms</b>	Exempt due to date of construction
<b>Schedule 5</b>	<b>Sleeping berths</b>	Exempt due to date of construction
<b>Schedule 6</b>	<b>Heating</b>	Exempt due to date of construction
<b>Schedule 7</b>	<b>Mess room</b>	Exempt due to date of construction
<b>Schedule 8</b>	<b>Minimum standards for sanitary facilities</b>	Exempt due to date of construction
<b>Schedule 9</b>	<b>Hospital accommodation</b>	Exempt due to date of construction