



Australian
BORDER FORCE

Australian Border Force Vessel Management Plan

Volume 1 – all vessels

Version 2.0 Content Manager Folder ADF2023/327891

Original version of Volume 1

Official: Sensitive

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1. Administration

1.1. ABF Vessel Management Plan Amendment Record

Date of Issue	Version	Issuing Authority	Amendment title and changes made	Officer's Name s. 22(1)(a)(ii)	Signature s. 22(1)(a)(ii)	Date
31 Dec 23	2.0	Superintendent Marine Safety and Operations	This is a new volume in the new format – The V1.0 series does not contain a Vol 1. This volume contains all instructions, risks and alternative measure which are common to all ABF vessels operating under a VMP			8 Dec 23

1.2. Document Preparation

This Australian Border Force (ABF) Vessel Management Plan (VMP) was prepared by ABF, which is part of the Department of Home Affairs in accordance with the Navigation Regulations under section 11 of the Navigation Act.

DNV Australia Pty Limited (DNV) has reviewed the VMP and declared that, for each provision of the Navigation Act that a vessel or person will not comply with, that the risks of non-compliance have been adequately assessed and appropriate alternate measures are in place to mitigate those risks.

Australian Maritime Safety Authority (AMSA) has accepted the DNV declaration and notified DNV and ABF of the date of acceptance.

1.3. Document Security

This document is the property of the Department of Home Affairs and is subject to the requirements of the *Australian Border Force Act (Cth) 2015* and the *Crimes Act (Cth) 1914*.

This document may only be released to a third party with the approval of the Assistant Commissioner Strategy and Governance or his or her delegate. If released to a third party, this document or any part of its contents must not be forwarded or otherwise released without further approval from the Assistant Commissioner or his or her delegate Air and Marine Capability.

1.4. Points of contact

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1.5. Document Approval and 5 Year Acceptance

Approvals & endorsements (ORIGINAL COPY IN TRIM):

Version	Title	Name	Date of approval
1.0	Superintendent of Maritime Safety & Operations	-	N/A
2.0	Superintendent of Maritime Safety & Operations	s. 11C(1)(a)	8 Dec 23
2.0	Acting Commander Air and Marine Capability		24/01/24
2.0	First Assistant Secretary Civil Marine Capability Strategy		29/01/24
2.0	Acting Deputy Commissioner Strategy and Capability		23/2/24
2.0	Commissioner Australian Border Force (as Comptroller-General of Customs)		4 th March 2024
2.0	DNV Declaration as the Recognised Organisation		28/03/2024
2.0	Australian Maritime Safety Authority Acceptance as Flag State Administration		25/06/2024



1.6. Document Structure

1.6.1. The VMP is divided into Volumes, each describing requirements pertaining to ABF vessels or to particular classes of ABF vessels as follows:

- **Volume 1** – VMP requirements common to all ABF vessels and application to Ocean Protector Ships Boats;
- **Volume 2** – VMP requirements that apply specifically to Cape Class Patrol Boats;
- **Volume 3** – VMP requirements that apply specifically to ABF Cutter Ocean Shield;
- **Volume 4** - VMP requirements that apply specifically to Fast Response Boats;
- **Volume 5** – VMP requirements that apply specifically to the Bay Class Vessels; and
- **Volume 6** - VMP requirements that apply to the ABF Cutter Thaiyak.

1.6.2. All VMP Volumes can be viewed on the Manuals page on the SMS SharePoint site.

1.7. Definitions

1.7.1. The following definitions are used in all volumes and attachments to the VMP.

ABF purposes in relation to ABF Vessels, are the law enforcement operations carried out by the ABF vessels to protect Australia's national interests against maritime security threats under commonwealth legislations such as the Customs Act 1901, the Migration Act 1958, the Fisheries Management Act 1991 and the Maritime Powers Act 2013.

Able Seaman - Deck and Able Seaman - Engine are certificates of competency issued by AMSA in accordance with the provisions of Marine Order 73.

AEZ means the Australian Exclusive Economic Zone.

AMSA means the Australian Maritime Safety Authority, which is the national marine regulator.

Assistant Commissioner means the person occupying the position of Assistant Commissioner Strategy and Governance in the Department of Home Affairs. The Assistant Commissioner is the representative of the Comptroller-General of Customs in relation to each VMP.

Australian Border Force or **ABF** means that part of the Department of Home Affairs in respect of which the ABF Commissioner as defined in subsection 4(1) of the Australian Border Force Act has control of operations. In this VMP ABF is used to denote both ABF and the Department of Home Affairs.

BVAS refers to a course Boarding Vessels at Sea completed by crews on board ABF vessels.

Chief Integrated Rating is a certificate of competency issued by AMSA in accordance with the provisions of Marine Order 73.

civil maritime enforcement activities mean activities undertaken as part of ABF's civil maritime law enforcement role including surveillance, patrol and response.

CMMS means the Computerised Maintenance Management System or equivalent.

Commissioner and **Comptroller-General of Customs**: The ABF Commissioner has the dual role as the Comptroller-General of Customs, with responsibility for the enforcement of Customs law and collection of border-related revenue under section 11 of the Australian Border Force Act 2015.

COST means Certificate of Safety Training – Issued by AMSA – Personal safety, fire prevention and firefighting (basic), proficiency of personal survival and security awareness.

Coxswain means a Coxswain Grade 1 Near Coastal certificate of competency issued by AMSA in accordance with Marine Order 505 (Certificates of competency - national law) 2022.

current, in relation to a certificate, means a certificate where the expiry date has not been reached or the certificate has not been cancelled or suspended.

Cyclone Season means from 1 November to 30 April.

Dangerous goods, mean the substances, materials and articles covered by the International Maritime Dangerous Goods (IMDG) Code, including small arms ammunition.

Department means the Department of Home Affairs. On 20 December 2017, the Home Affairs Portfolio, including the Department of Home Affairs, was formally established. The establishment of the Portfolio brings together Australia's federal law enforcement, national and transport security, criminal justice, emergency management, multicultural affairs and immigration and border-related functions and agencies, working together to keep Australia safe. In this VMP the terms Department and ABF are interchangeable.

Designated Person (DP): is the person/s ashore in the maritime support organisation responsible for the oversight and management of the ABF vessels and the maritime Safety Management System (SMS), as required by section 4 of the International Safety Management Code. Refer to Supporting Material BE-6255 *Designated Person under the ISM Code* for the current ABF DP.

Dual-Ticketed Master <24m NC means a person who holds both a Master 24<m NC Certificate of competency **and** at least an MED2 Engineer Certificate of Competency.

Electro – technical Officer (ETO) means electrical engineers issued certificates of competency by AMSA in accordance with the provisions of Marine Order 72 Schedule 2.

Engineer Class 1 and Engineer Class 2 mean an Engineer certificate of competency issued by AMSA in accordance with the provisions of Marine Order 72 Schedule 2.

Engineer Class 3 means an Engineer Class 3 certificate of competency issued by issued by AMSA in accordance with the provisions of Marine Order 72 Schedule 2 or Marine Order 505 (Certificates of competency – national law) 2022).

Engineer Watchkeeper means an Engineer Watchkeeper certificate of competency issued by AMSA in accordance with the provisions of Marine Order 72 Schedule 2.

equivalent means equivalent in the opinion of the Commander, having considered relevant advice from AMSA and the Recognised Organisation for the VMP.

Fast Response Boats (FRBs), Australian Border Force USA manufactured SAFE Boats International, FRBs primarily used for patrolling the Torres Strait.

Handover Period means the period when the outgoing and incoming crew change.

Hot pursuit relates to the power to chase for boarding under the *Customs Act 1901*, the *Migration Act 1958*, pursuit of a boat or person under the *Fisheries Management Act 1991* and vessels chased without interruption under the *Maritime Powers Act 2013*.

HADR means humanitarian assistance and disaster relief.

hours of rest for the purposes of overriding operational conditions and fatigue management means time outside hours of work, including but not limited to sleep, but does not include short breaks such as meal breaks or refreshment breaks.

hours of work for the purposes of overriding operational conditions and fatigue management) means hours completing tasks assigned, training, meetings, paperwork, drills or standing watch and does not include meal times, flying or awaiting flights, recreation or fitness.

Integrated Rating is a certificate of competency issued by AMSA in accordance with the provisions of Marine Order 73.

long haul transportation operation means an operation in which transportees are embarked for greater than 24 hours.

less than full operational crew means less than full operational crew but more than minimum crew.

manning is commonly used to describe personnel positions and expertise in the maritime industry and by AMSA when referring to crew and therefore is considered gender neutral in this VMP.

Maritime Authorising Officer means the most senior maritime officer who is in a position to exercise any of the maritime powers in the *Maritime Powers Act 2013* in person.

Marine Crew means any Marine Unit Enforcement Officer who is employed or engaged or works in any capacity (notwithstanding that they must hold appropriate qualifications for billeted crew positions) to which the VMP applies, other than Marine Unit Enforcement Officers on board to conduct training and assurance activities.

Marine Engine Driver Grade 1 NC and Marine Engine Driver Grade 2 NC mean a Marine Engine Driver Near Coastal certificate of competency issued by AMSA in accordance with Marine Order 505 Certificates of competency (national law) 2022.

Marine Order or MO means AMSA regulations and instructions for mariners issued under Australian maritime legislation.

Marine Tactical Officer (MTO) means a rating engaged in common on-board deck and seamanship duties with mandatory COST training.

Marine Tactical Officer (Deck) MTO (D) means a MTO rating streamed to deck duties holding an Able Seaman Seafarer Deck or Equivalent.

Marine Tactical Officer MTO (E) means a MTO rating streamed to engineer duties holding an Able Seaman Seafarer Engineer or Equivalent.

Marine Unit Enforcement Officer means an officer employed in the ABF Marine Unit as a Marine Unit Enforcement Officer. This includes Marine Unit Enforcement Officers on board as crew or to conduct training and assurance activities, although some provisions apply only to Marine Unit Enforcement Officers other than those on board to conduct training and assurance activities. Marine Unit Enforcement Officer should not be confused with an ABF Maritime Authorising Officer.

Master <24m NC, Master <45m NC and Master <100m NC mean a Master Near Coastal certificate of competency issued by AMSA in accordance with Marine Order 505 (Certificates of competency – national law) 2022.

Master, Master <500GT and Master <3000GT mean a Master certificate of competency issued by AMSA in accordance with the provisions of Marine Order 71.

Mates including Chief Mate, Second Mate and Third Mate are holders of Chief Mates or Watchkeeper Deck certificates of competency issued by AMSA in accordance with the provisions of Marine Order 71 who may replace ABF Deck officers.

minimum crew means the number of crew, and their required qualifications, to allow an Australian Border Force vessel to safely go to sea and maintain 24 hours steaming; Australian Border Force vessels may only undertake limited civil maritime enforcement activities at minimum crew.

National Law means the *Marine Safety (Domestic Commercial Vessel) National Law Act (Cth) 2012*.

Navigation Act or Nav Act means the *Navigation Act (Cth) 2012*.

Navigation Regulation means the *Navigation Regulation (Cth) 2023*.

Navigation Watch Rating is a certificate of competency issued by AMSA in accordance with the provisions of Marine Order 73.

NSCV refers to the National Standard for Commercial Vessels.

non secure wharf means a wharf where access to the general public cannot be limited. Examples include Thursday Island Main Wharf.

officer means an officer of customs (ABF Officer) within the meaning of section 4 of the *Customs Act (Cth) 1901*.

Officer of the Day has the same meaning as Officer of the Watch but applies to vessels in port.

Officer of the Watch means an appropriately qualified officer in charge of a navigational watch.

operational circumstances includes, but is not limited to, the nature of the event to which the vessel is responding, the environmental conditions experienced at the time and the specific number and experience of the available crew members.

owner of a vessel, in relation to an ABF Vessel, is the Commonwealth of Australia acting through and as represented by the Department of Home Affairs and ABF.

Passenger: For the purposes of the VMP, passenger means a person carried board an ABF vessel with the knowledge or consent of the ABF Commissioner and or the Commanding Officer other than:

- a crew member;
- a person on board the vessel for ABF purposes;
- special persons (on a special purpose ship or DCV);
- special operations persons;

- a transportee;
- a rescued person;
- a child under the age of 1 year; or
- a person on board the ABF Vessel because of circumstances that could not have been prevented by the CO.

port means the same as in section 4 of the *Customs Act (Cth) 1901*.

Prescribed maritime officers: Section 52 of the Maritime Powers Act 2013 allows a maritime officer to board a vessel, installation or aircraft. Pursuant to subsection 56(4) of the Act, a prescribed maritime officer is one of the following in uniform:

- (a) a member of the Australian Defence Force;
- (b) an officer of Customs (within the meaning of the Customs Act 1901);
- (c) a member or special member of the Australian Federal Police; and
- (d) an officer prescribed by the regulations.

Recognised Organisation or Class for the VMP means the recognised organisation performing the role outlined in section 7 of the Navigation Regulation.

rescued person means a person on board a ABF vessel as the result of a Safety of Life at Sea (SOLAS) or Search and Rescue (SAR) event, including persons on board as a result of an obligation imposed on the Commanding Officer by any law (including a law of a country other than Australia) to assist shipwrecked, distressed or other persons.

satisfactorily, in relation to a training course or a course of study, means satisfactorily in the opinion of the person or persons conducting the course.

seamanship duties include all activities associated with being at sea and normally (but not exclusively) associated with the deck department including:

- a. the awareness, operation and maintenance of deck equipment;
- b. ship's boat operations;
- c. anchoring, mooring and berthing and associated line handling practises;
- d. standing watches and maintaining awareness of the position and condition of the vessel and other vessels;
- e. maintaining awareness of the weather, and weather forecast;
- f. galley assistant, if required;
- g. vessel safety rounds; and
- h. ships husbandry and maintenance tasks.

SMS means the ABF Safety Management System (Marine), developed and approved in accordance with the International Safety Management Code under the International Maritime Organization.

safety of navigation activities means activities undertaken to secure the safe navigation of a vessel.

Secure Wharf means a wharf where access is limited to suitably identified personnel, examples include the Depart of Transport (MSQ) Cairns, Cairns Norship Wharf and Darwin Naval Base Wharf.

Special operations persons means additional crew or personnel who are carried on board ABF Vessels which are not Special Purpose Ships in connection with ABF purposes. They typically include government officers from State, Territory or Australian Federal Police Forces, Australian Fisheries Management Authority or the Australian Defence Force. They may also include persons who contracted medics, officials from other countries, media or officers on board for training or assurance purposes.

Special personnel: - special personnel or special persons (on special purpose ships or DCVs) are:

- not the master, a pilot or a member of the crew;
- not a passenger of the vessel;
- on the vessel to perform or assist the performance of the special work being carried out on board the vessel;
- an observer, trainee, person being coached or a coach; or

- employed by a volunteer for an emergency services organisation.

Special purpose ship means a ship that carries special personnel on board in connection with the special purpose of the ship. Only Ocean Shield and Ocean Protector have the special purpose safety certificates which designate them as Special Purpose Ships.

transportee means a person being transported using powers under legislation such as the *Customs Act 1901*, the *Fisheries Management Act 1991*, the *Maritime Powers Act 2013*, the *Migration Act 1958* or the *Torres Strait Fisheries Act 1984* but does not include a rescued person. Transportees in the context of conducting law enforcement functions are persons who are reasonably suspected of:

- committing an offence against a law of the Commonwealth, or
- being irregular immigrants or refugees.

USL refers to the Uniform Shipping Laws promulgated by AMSA.

VMP means an ABF vessel management plan.

Watchkeeper (Deck) means a Watchkeeper (Deck) certificate of competency issued by AMSA in accordance with the provisions of Marine Order 71 Schedule 2.

WI means Work Instruction which is a Standard Operating Procedure and integral part of the SMS.

2. Operation of the VMP

2.1. ABF Vessels

- 2.1.1. A vessel is an ABF vessel if it is used for the “purposes of the ABF” and is “declared” by AMSA by written instrument to be an ABF vessel.
- 2.1.2. The purposes of ABF in relation to ABF vessels are the law enforcement operations carried out by the ABF vessels and marine crews to protect Australia's national interests against maritime security threats under commonwealth legislation such as the *Customs Act (Cth) 1901*, the *Migration Act (Cth) 1958*, the *Fisheries Management Act (Cth) 1991* and the *Maritime Powers Act (Cth) 2013*.
- 2.1.3. The AMSA declaration serves as the basis for applying special safety arrangements to ABF VESSELS and marine crews where they are unable to comply with the Navigation Act requirements.
- 2.1.4. ABF operates a fleet of ABF vessels which are either purpose built paramilitary style patrol vessels used for law enforcement patrols or commercial vessels adapted for the same use.
- 2.1.5. A critical element of ABF vessel operations is the deployment of tenders, or ships boats, for independent open ocean patrols or costal patrols. ABF vessel operations are supplemented within the fleet by shore based small vessels which can carry out the same tasks deployed from regional centres or by trailer in remote areas.
- 2.1.6. As government vessels the ABF fleet is able to take advantage of the exemptions granted to government owned vessels in non-commercial service which are provided by many of the international maritime conventions.
- 2.1.7. In order to provide independent and external regulatory and safety oversight all ABF vessels are registered as Regulated Australian Vessels (RAVs), under the Navigation Act, or Domestic Commercial Vessels (DCVs), under the *Marine Safety (Domestic Commercial Vessels) National Law Act (Cth) 2012* (National Law), depending on their roles and areas of operation. In this scenario RAVs are generally ocean-going vessels and DCVs are generally port, harbour or coastal craft.

2.2. Types of operations

- 2.2.1. ABF Vessels undertake operations, for ABF purposes, to protect Australia's national interests against the following maritime security threats:
 - a. Illegal exploitation of natural resources;
 - b. Illegal activity in protected areas;
 - c. Irregular maritime arrivals;
 - d. Prohibited imports/exports;
 - e. Maritime terrorism;
 - f. Piracy, robbery or violence at sea;
 - g. Compromise to bio-security; and
 - h. Marine pollution.

2.3. Explanation of ABF areas of operations

- 2.3.1. Legislative definitions can be complicated. The determination of operating areas relies on the explanations of the legislative, ABF and convention terms in the table below.

Table 1 - ABF operational area explanations

Area	Origin	Explanation
AEEZ	Navigation Act	The Australian Exclusive Economic Zone as defined by the Seas and Submerged Lands Act (Cth) 1973 by Proclamation under Section 10B 26 July 1994.
s. 47E(d)	s. 47E(d)	s. 47E(d)
Cross border patrols	ABF term	Where the vessel leaves the AEEZ as part of a cross border patrol agreement with East Timor, Indonesia or Papua New Guinea and includes foreign ports within that agreement.
Cyclone avoidance voyages	ABF term	The purpose of the voyage is to travel to the closest safe haven at the declaration of a cyclone or its build up
Hot pursuit	UNCLOS	Relates to the power to chase for boarding under the Customs Act 1901, the Migration Act 1958, pursuit of a boat or person under the Fisheries Management Act 1991 and vessels chased without interruption under the Maritime Powers Act 2013.
Jurisdiction and Zone Boundaries in the Torres Strait	Treaty	Consist of the designated areas under the Torres Strait Treaty 1978, which was entered into force in February 1985 between Australian and Papua New Guinea and which details specific zones and jurisdiction such as the Australian Fisheries Jurisdiction (AFJ), the Australian Seabed Jurisdiction (ASJ) and the Torres Strait Protected Zone.
Near coastal	STCW Reg I/1 and Reg 1/3 SOLAS	Voyages in the vicinity of a party to the STCW treaty and as defined by that Party. AMSA defines near coastal as within 200nm and within the AEEZ. SOLAS uses international voyages and short international voyages to distinguish operations where the short voyage is less than 200nm from a safe port.
Overseas voyage	Nav Act s 16	A voyage where, in the course of the voyage, the vessel leaves the AEEZ unless the vessel leaves the AEEZ due to stress of weather, saving life at sea or other unavoidable cause.
PFSEL Area B	Treaty	Provisional Fisheries Surveillance Enforcement Line (PFSEL) Area B, B* and C located between the northern limit of the AEEZ and the 1972 Australia – Indonesia Seabed Boundary as depicted on the Chartlet by Geoscience Australia.
s. 47E(d)	s. 47E(d)	s. 47E(d)
s. 47E(d)	s. 47E(d)	s. 47E(d)

		s. 47E(d)
s. 47E(d)	s. 47E(d)	s. 47E(d)
s. 47E(d)	s. 47E(d)	s. 47E(d)
Torres Strait voyage	Nav Act s 16	Is not an overseas voyage and means a vessel's voyage if: - the voyage commences and ends at any port in Queensland; and - as an incidental part of its voyage, the vessel leaves the AEEZ but remains within the Torres Strait Protected Zone; and - the vessel does not otherwise leave the AEEZ.
s. 47E(d)	s. 47E(d)	s. 47E(d)
Unrestricted or Unlimited		Operations in any operating area (overseas voyages)

- 2.3.2. For the purposes of assigning operational area limitations to seafarer certificates of competency AMSA aligns the STCW term "near-coastal" to be within the AEEZ. Most seafarers who operate in Australian near coastal, or AEEZ, waters hold National Law Near Coastal certificates of competency under Marine Order 505.
- 2.3.3. Seafarers who operate on overseas voyages, beyond near coastal waters, must have the internationally recognised STCW qualifications set out in Marine Orders 70, 71, 72 and 73.
- 2.3.4. The significance of the change between near coastal waters and overseas voyages for seafarers is the level of competence and training which is directly related to the distances from safe havens and shore based assistance. Similar distinctions are made in the design and construction of the vessels.
- 2.3.5. The AEEZ extends to around 200nm from the baseline of the Australian mainland, from Tasmania and from the baselines of its external territories - except to the north of Australia where the AEEZ is limited in its extent to the competing EEZ claims of other countries.
- 2.3.6. In most cases the skill and training levels of near coastal seafarers aligns to the open ocean limit of 200nm.
- 2.3.7. STCW Regulation I/3.3 specifically provides for AMSA to allow near coastal status to near coastal vessels operating in the near coastal waters of other nations should it choose to do so.

2.3.8.

2.3.9.

2.3.10.

S. 47E(d)

2.3.11.

2.3.12.

2.3.13. In this case the risk is the difference between the competence and training of near coastal seafarers and the competence and training of STCW seafarers but in circumstances where the ABF seafarers rarely operate beyond the near coastal limits.

2.4. ABF operational areas

2.4.1. The class specific VMPs use the following ABF areas of operations in the risk assessments and the Ship Safety Statements.

2.4.2.

2.4.3.

S. 47E(d)

2.4.4.

2.4.5.

S. 47E(d)

s. 47E(d)

2.5. Purpose of the VMP

- 2.5.1. The Navigation Act is the primary legislative means for the Australian Government to regulate international ship and seafarer safety, shipping aspects of protecting the marine environment and the actions of seafarers in Australian waters.
- 2.5.2. Section 11 of the Navigation Act recognises the special role of ABF Vessels and the challenges they face in complying with all sections of the Act while on operational duty. To avoid the need to obtain exemptions from the Act in such circumstances, often on very short notice or in time critical circumstances, section 11 provides for a standing arrangement for declared ABF Vessels that is intended to produce a safer outcome for those on board.
- 2.5.3. Section 11 provides operating exemptions for ABF Vessels from elements of Chapter 2 Seafarers, Chapter 3 Vessel Safety and Chapter 6 Safety of Navigation where the ABF vessels and crews operate under a Vessel Management Plan (VMP).
- 2.5.4. The inability of ABF to comply with the Navigation Act will generally fall into two categories:
 - a. Inconsistencies between the usual commercial operations and construction codes regulated by the Navigation Act and the civil maritime surveillance and law enforcement operations conducted by ABF; or
 - b. Requirements for the ABF to comply with other Commonwealth laws and the Department's instruments or policies, which provide equivalent or higher standards.
- 2.5.5. ABF vessels must comply with any provisions of the Navigation Act for which alternative requirements are not included in the VMP or when the alternative requirements of the VMP cannot be met.

2.6. Elements of a compliant VMP

2.6.1. To be compliant the VMP ABF must:

ABF Vessels

- identify the ABF Vessels operating under the VMP and ensure they are AMSA declared vessels;
- ensure the ABF Vessels are used for ABF purposes;

Navigation Act non compliance with Chapters 2, 3 and 6

- identify the provisions of Chapters 2, 3 and 6 of the Navigation Act that can't be complied with;
- provide an explanation why they can't be complied with;
- assess the risks that arise from non-compliance;
- determine how the risks will be averted or mitigated and provide alternative requirements;

Review

- provide a process that ensures the alternative requirements are complied with;
- ensure the VMP provides for a review and acceptance process by a Recognised Organisation in which the risks for non-compliance are adequately assessed and that the alternative requirements mitigate the risks ;
- ensure the VMP provides for internal review;

Reporting

- provide an internal reporting process which enables ABF Officers or other persons to report issues with the VMP or compliance with the VMP or Navigation Act; and

Alignment with the ABF SMS and WHS

- provide an SMS that ensures the Navigation Act (including any relevant exemptions) is complied with when the VMP is not.

3. Governance

3.1. Application

- 3.1.1. VMP Volume 1 applies to each of the ABF Vessels listed in the class specific Ship Safety Statements, in VMP volumes 2 to 6, and to all ABF officers and other persons on board those ABF Vessels.

3.2. Validity, commencement and expiry

- 3.2.1. The Navigation Regulations, which are authorised under the Navigation Act, provides the ABF Comptroller-General of Customs with the authority to apply to the AMSA for acceptance of an ABF VMP.
- 3.2.2. Each VMP Volume commences upon acceptance by AMSA in accordance with the Navigation Regulation and is valid for a period of five years.
- 3.2.3. If ABF decides not to use a VMP Volume for a vessel, class of vessel or person in relation to the vessel, the ABF Commissioner is to notify AMSA and the VMP will expire on the date of notification.
- 3.2.4. The validity of Volumes 2 to 6 rely on the validity of Volume 1.
- 3.2.5. When the VMP, or a Class specific VMP Volume 2 to 6, is no longer valid all ABF Vessels and persons operating under that VMP or Volume may continue to operate but must operate in full compliance with the Navigation Act and or any AMSA exemptions that may apply.

3.3. Alignment with the ABF SMS and the WHS Act

- 3.3.1. As a government department ABF is regulated by the *Work Health and Safety Act (Cth) 2011* (WHS) and ABF Vessels are considered to be workplaces under that Act.
- 3.3.2. Additionally, ABF has voluntarily taken over all the duties and responsibilities imposed by the International Safety Management Code (ISM) and all ABF vessels operate under the ABF safety management system (SMS) which is approved and audited by an AMSA Recognised Organisation.
- 3.3.3. As all ABF Vessels are registered vessels under the Navigation Act or National Law the usual regulatory processes for RAVs and DCVs, overseen by AMSA and AMSA Recognised Organisations, are applied to all ABF Vessels.
- 3.3.4. ABF's WHS duty of care for all ABF Vessels is exercised using the ABF SMS and other ABF instructions.
- 3.3.5. All safety and operating instructions, such as Work Instructions (WI), Standard Operating Procedures (SOP) and Policy Instructions, for ABF Vessels s have been drafted to align and provide compliance with WHS, ISM and all the alternative requirements of the VMP.

3.4. Risk assessment

- 3.4.1. Risks arising due to non-compliance with the Navigation Act are to be assessed in accordance with WI W 1009 Risk Management and Hazard Identification and HR -2134 WHS Hazard Identification and Risk Management.
- 3.4.2. Risk assessments of medium or low in Table 2 with the management risk controls in Table 3 have been determined as being acceptable by ABF.

Table 2 - Risk Assessment Process

Department Risk Matrix <i>PI: WH&S Hazard Identification and Risk Management (HR-2134)</i>					
Likelihood Ratings	Consequence				
	Insignificant Injury may be dealt with through primary first aid	Minor Minor injury or health impact with some medical treatment	Moderate Injury or health impact requiring limited ongoing treatment	Major Life threatening or serious injury or illness requiring ongoing treatment	Critical Death or permanent disability
Almost Certain	MEDIUM	HIGH	HIGH	EXTREME	EXTREME
Likely	MEDIUM	MEDIUM	HIGH	HIGH	EXTREME
Possible	LOW	MEDIUM	MEDIUM	HIGH	EXTREME
Unlikely	LOW	LOW	MEDIUM	MEDIUM	HIGH
Rare	LOW	LOW	LOW	MEDIUM	HIGH

Table 3 – Risk Management Controls

Department Risk Management Controls <i>PI: WH&S Hazard Identification and Risk Management (HR-2134)</i>	
EXTREME	Act Now – immediate action is required
HIGH	Action Plan is required – senior management attention is required
MEDIUM	Specific monitoring or procedures are required – management responsibility must be specified
LOW	Generally acceptable, manage through routine procedures and monitoring but must be monitored to ensure risk rating does not change

3.5. Review and acceptance

- 3.5.1. The ABF Commissioner must ensure ABF audits each ABF vessel for compliance with the VMP at least once every two years in accordance with WI A 1611 Marine Audits and Compliance.
- 3.5.2. The ABF Commissioner must also ensure that the VMP is reviewed annually by ABF in accordance with WI A 1611 Marine Audits and Compliance.
- 3.5.3. The ABF annual review should examine:
- AMSA regulatory changes;
 - Changes in operations or operational areas;
 - Changes in ABF policy in relation to vessels operating under a VMP;
 - Changes to ship Certification;
 - Issues listed by the Commanding Officers or Chief Engineers in the COs SMS Review; and
 - Issues listed by Maritime Operational Compliance.
- 3.5.4. AMSA Recognised Organisation will review the VMP to ensure the risks of non-compliance are adequately assessed and that the alternative requirements mitigate the risks:
- When the VMP is first drafted for operational use;
 - Following any significant changes made to the VMP; and
 - upon their own request following the reporting of any non-compliances with the VMP.
- 3.5.5. ABF will apply to AMSA for acceptance of the VMP when the Recognised Organisation is satisfied the risks of non-compliance are adequately assessed and that the alternative requirements mitigate the risks:
- When the VMP is first drafted for operational use; and