



Australian Government
Australian Maritime Safety Authority

MARINE ORDERS

Part 57

Helicopter operations

Issue 3

Order No. 3 of 2010

Pursuant to Subsection 425(1AA) of the *Navigation Act 1912*, I hereby make this order repealing Marine Orders, Part 57, Issue 2, and substituting the attached Marine Orders, Part 57, Issue 3, to come into operation from 1 August 2010.

Graham Peachey
Chief Executive Officer
31 May 2010

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Previous issues

Issue 1, Order No 13 of 1999
—*Renumbered from Part 18 by Order No 2 of 1997*

Issue 2, Order No 2 of 1997

1 Purpose and power

1.1 Purpose

This Part of Marine Orders makes provision for and in relation to:

- (a) the protection of the health and the security from injury of persons engaged in the loading or unloading of ships; and
- (b) the safety of persons, including pilots, going on or coming from, or on board, ships, in connection with transfer operations by helicopter.

Note Helicopters used in ship/helicopter transfer operations are subject to the jurisdiction of the Civil Aviation Safety Authority (CASA) and must comply with relevant CASA regulations.

1.2 Power

- 1.2.1 Paragraph 425(1)(c) of the Navigation Act provides for the regulations to make provision for and in relation to the protection of the health and the security from injury of persons engaged in the loading or unloading of ships.
- 1.2.2 Paragraph 425(1)(e) of the Navigation Act provides for the regulations to make provision for and in relation to the safety of persons, including pilots, going on or coming from, or on board, ships.
- 1.2.3 Subsection 425(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.
- 1.2.4 Subsection 425(1AA) of the Navigation Act provides that AMSA may make orders with respect to any matter for or in relation to which provision may be made by regulation.

2 Definitions of words and phrases used in this Part

AMSA means the Australian Maritime Safety Authority established by the *Australian Maritime Safety Authority Act 1990*;

ICS Guide means the *Guide to Helicopter/Ship Operations*, 4th Edition (2008), published by Marisec Publications, London, on behalf of the International Chamber of Shipping;

operator means the owner of the ship or any other organisation or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibility imposed by the International Safety Management Code;

penal provision means a penal provision for the purposes of Regulation 4 of the *Navigation (Orders) Regulations 1980*;

Note 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 fine not exceeding 50 penalty units. The maximum penalty that a court may impose on a body corporate that fails to comply with a penal provision is 250 penalty units.

3 Interpretation

In this Part:

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

4 Application

This Part applies to and in relation to:

- (a) a ship registered in Australia; and
- (b) a ship registered in a country other than Australia that is in the territorial sea of Australia or waters on the landward side of the territorial sea.

5 Arrangements on ships

5.1 Requirement for safe arrangements

The master of a ship must not permit the transfer of persons or goods from helicopter to ship, or vice versa, unless:

- (a) the owner or master has provided such shipboard arrangements, equipment, training and drills as:
 - (i) are necessary and reasonable for emergency evacuation of persons from the ship;
 - (ii) are appropriate and reasonable for the normal operations of the ship; and
 - (iii) are at least as effective as those specified in the ICS Guide;
- (b) the arrangements, equipment, training and drills have been included in the safety management system on board the ship;
- (c) the master has provided instructions to the members of the crew on their responsibilities relating to giving effect to the ship's safety management system; and
- (d) the master is satisfied that:
 - (i) the equipment is maintained in working order and readily available for use; and
 - (ii) the specified training has been carried out.

This is a penal provision.

Note The arrangements, equipment, training and drills referred to in this provision apply only to those relating to the preparations on a ship and the ship/helicopter interface during the transfer operation. Any guidance in the ICS Guide dealing with operations or activities not directly related to the ship are not covered by this provision, although such guidance may provide useful background for the owner and master when considering the safety management system for the ship.

5.2 Helicopter landing and operating area

- 5.2.1** When the location and size of a helicopter landing or operating area are being determined, the recommended dimensions and obstacle free zones in the ICS Guide are to be implemented as far as practical. Any divergence from the recommendations in the ICS Guide should be clearly

documented and communicated to the helicopter pilot prior to commencing operations. Any obstacles within the helicopter landing or operating area that do not comply with the ICS Guide must be clearly marked.

- 5.2.2** The operator of a ship on which a helicopter is likely to land must ensure that there is available on the ship information relating to ability of any deck surface to withstand the static and dynamic loads imposed by a helicopter landing on that surface.

Note The information referred to in this provision would normally be provided by, or based on criteria provided by, the Classification Society carrying out the ship's surveys.

- 5.2.3** The master of a ship must, when requested, provide the information referred to in 5.2.2 to:
- (a) the pilot of a helicopter; or
 - (b) a surveyor; or
 - (c) any other person with an interest in the safe operation of a helicopter on the ship.

- 5.2.4** The master of a ship must not authorise, or purport to authorise, the pilot of a helicopter to land on any deck surface not capable of withstanding the static and dynamic loads imposed by a helicopter landing on that surface.

5.3 Communications

The master of a ship must, when preparing for and conducting ship/helicopter operations, communicate to the helicopter operator or helicopter pilot, as appropriate, any information relevant to the safe conduct of the operation, including the details of the helicopter landing and operating area.

Note The ICS Guide contains comprehensive advice on information exchange.

5.4 Crew members' responsibility

Every crew member must:

- (a) carry out the instructions determined by the owner or master under 5.1(c); and
- (b) generally take such action as is reasonable to ensure that helicopter transfers are carried out safely.

This is a penal provision.

5.5 Medical or other emergency.

When it is necessary, due to medical or other emergency, either to evacuate a person requiring urgent medical attention or to embark or disembark medical or other emergency personnel, the master of the ship and the pilot of the helicopter may make such alternative arrangements as they consider appropriate in the circumstances, provided that safety is not thereby compromised.