



International Transport Workers' Federation Australia

Ian Bray
ITF Australia Coordinator

Friday, April 9, 2021

Dear Committee,

I wish to correct evidence that I presented to the Rural and Regional Affairs and Transport Legislation Committee on Tuesday 2nd March 2021.

On the day in question, I presented verbal evidence regarding two ships that were in Australian ports on the day. I stated that one of those ships had failed to apply for a temporary licence and the other had failed to display its temporary licence in accordance with the Coastal Trading Act. I did not know the vessels name's at the time and took the question, "on notice" that I would provide these details within the time frame given by Madam Chair Senator McDonald.

I followed up and identified both vessels as requested. The vessels were the "Golden Unity" and the "Conti Stockholm".

The correction I wish to make relates to the "Golden Unity" whereby I gave evidence stating the ship was operating without a temporary licence issued by the Department of Infrastructure and Rural Development.

Further investigation reveals that this information was incorrect and at the time the evidence was presented, the Golden Unity did not require a temporary licence as it was discharging international cargo in Port Botany.

Our internal review of how the ITF Inspectorate handled the inspection and gathering of information pertaining to the "Golden Unity" has found that the ship's captain misunderstood the question asked of him at the time. When the captain was asked if the vessel was carrying domestic cargo, he stated that it was. When the captain was asked if the ship had a temporary licence, he appeared to become nervous and anxious.

Our inspector followed up with the ships shoreside management as supported herein;

Dear Chong Nae Won,

Both myself and {another ITF officer} from the ITF visited your vessel yesterday morning in Port Botany, Australia, 1st March.

We note she is back on the Australian coast and it appears that she will be doing coastal trading. We were unable to get a copy from the Master of the Temporary Licence on board the vessel, and we checked the departments website and there is not a license yet that we could see.

Could you confirm the vessel will have a permit / temporary licence whilst carrying out coastal trade and carrying cargo between ports in Australia.

Also, could you confirm the crew's Retirement pay is getting paid as per the CA. As the payment didn't appear to be itemised anywhere on the crew's payslips or portage bill and the Master wasn't too sure as to confirmation / itemisation of this payment.

I have attached a fact sheet from Fairwork Australia about ships operating in Australian waters along with a pay guide – seagoing industry award 2010, for all crew when carrying out coastal trading to assist.

Thanks in advance.

Best Regards

Following this correspondence to the shoreside management of the “Golden Unity” our ITF inspector received a phone call from the management, and I have provided details of that call as our inspector recalls them;

“After doing the inspection and sending the below correspondence to the company, I had a phone call from Davor Koleb -HSEQ Dorval Ship Management in Melbourne, my recollection of the conversation was he told me that the vessel had had a Temporary Licence in the past, and now that the vessel was back on the coast VIVA would be applying for the Temporary Licence for the Golden Unity.

I asked him to respond in writing to my email and suggested that was the best way to communicate. I did not receive any written response.”

In Summary, our internal review identified the following;

- There was an apparent breakdown in communication between our ITF inspector and the captain of the Golden Unity,
- The company response in identifying if they were required to hold and display a temporary licence was not given with any degree of confidence (they didn't know if one was required or not)

- We believe that the Department of Infrastructure and Rural Development's website was not up to date with relevant temporary licences that were currently issued and was an unreliable resource
- We took it upon ourselves to investigate further and identified that the Golden Unity in fact did not require a temporary licence for the voyage in question
- Temporary Licences were required for future voyages of the "Golden Unity" and our probing on this occasion ensured the company complied with its legal obligations in accordance with the CTA.

I sincerely apologise for providing incorrect verbal evidence at the hearing of March 2nd 2021 and at the time I believed that the evidence I gave was true and correct and I apologise for the lateness of this correction however, we have only just completed our internal review.

I confirm that all other evidence (verbal and questions on notice) is true and correct as given at the time.

Best Regards

ITF Coordinator Australia
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