



Department for Planning and Infrastructure  
Government of Western Australia

Convention for the Safety  
of life at sea.  
Submission No: .....13.....

Our ref: DPI/02/0537  
Enquiries: Iqbal Samnakay

The Secretary  
Joint Standing Committee on Treaties  
R1-109  
Parliament House  
CANBERRA ACT 2600

RECEIVED  
04 SEP 2003

BY: *g. Gould*

Dear Ms Gould

### Safety of Life At Sea

I refer to your letter of 31 July 2003 requesting comment on the amendments to the Annex to the International Convention for the Safety of Life at Sea 1974, and implications of these amendments on the Department for Planning and Infrastructure (DPI).

The Department understands the security concerns which led to the development of the new International Ship and Port Facility Security (ISPS) Code. DPI supports international measures to counter the threat of terrorism for ports and shipping.

The Commonwealth is seeking to adopt the Annex to the Convention by enacting the Maritime Transport Security Bill. DPI was provided with an opportunity, briefly, to comment on the exposure draft of the Bill. However, the regulations which will be critically important from the workability viewpoint, as they cover operating procedures, have not been drafted yet.

The legislation will establish security requirements for maritime activities, and will require maritime participants to develop and comply with maritime security plans. Some treatments may need to be implemented by maritime participants depending on the results of maritime transport risk assessments, details of the regulations and the attitude and interpretation of DOTARS as the regulator. DPI is responsible for the operations of eight ports in the State and therefore will be required to comply with the legislation.

At this stage it is clear that DPI will have to do a security assessment of all its ports, establish port security committees, and develop and implement maritime security plans at all the ports that we are responsible for operating. Likewise, the port authority boards of Esperance, Albany, Bunbury, Fremantle, Geraldton, Dampier, Port Hedland and Broome will be responsible for implementing the maritime security arrangements in their respective ports.

In the absence of detail and clarity with regards to the new legislation, there are concerns about the possible costs and workability of implementing future arrangements. There are also some concerns in case the new legislation inadvertently clashes with existing State port legislation and safety regimes in particular.

The precise implications of the new legislation on DPI and other port operators and maritime participants will not be known until the whole regulatory regime is revealed and relevant risk assessments are completed.

I understand that the Joint Standing Committee of Treaties is visiting the Fremantle Port Authority on 5 September 2003. I am making available officers from DPI to attend the meeting of that Standing Committee. I also trust that the above comments and the views shared at the hearings are of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Martin', written in a cursive style.

Greg Martin  
*Director General*

1 / 9 / 2003