



# ***STATE DEVELOPMENT, INFRASTRUCTURE AND WORKS COMMITTEE***

**Members present:**

Mr JJ McDonald MP—Chair  
Ms JM Bush MP  
Mr TA James MP  
Mr D Kempton MP  
Mr SR King MP  
Mr BJ Mellish MP

**Staff present:**

Ms S Galbraith—Committee Secretary  
Mr G Thomson—Assistant Committee Secretary

## **PUBLIC BRIEFING—INQUIRY INTO THE TRANSPORT OPERATIONS (MARINE SAFETY) LEGISLATION AMENDMENT REGULATION 2024**

### **TRANSCRIPT OF PROCEEDINGS**

**Thursday, 23 January 2025**

**Brisbane**

## THURSDAY, 23 JANUARY 2025

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**The committee met at 12.04 pm.**

**CHAIR:** Good afternoon. I declare open this public briefing in relation to the Transport Operations (Marine Safety) Legislation Amendment Regulation 2024. My name is Jim McDonald, member for Lockyer and Chair of the committee. With me here today are: Ms Jonty Bush, member for Cooper and Deputy Chair; Mr Terry James, member for Mulgrave; Mr David Kempton, member for Cook; Mr Shane King, member for Kurwongbah; and Mr Bart Mellish, member for Aspley.

The purpose of today's briefing is to assist the committee with its examination of the Transport Operations (Marine Safety) Legislation Amendment Regulation 2024. This briefing is a proceeding of the Queensland parliament and is subject to parliament's standing rules and orders. Witnesses are not required to give evidence under oath or affirmation but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the briefing at the discretion of the committee. I remind committee members that officers are here to provide factual or technical information. Any questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the Chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please turn off your mobiles phones or put them on silent mode. Please remember, witness and committee members, to press your microphone on before you start speaking and off when you have finished speaking.

**DILLON, Mr Kell, General Manager, Maritime Safety Queensland, Department of Transport and Main Roads**

**MAGOFFIN, Mr Geoff, Deputy Director-General, Customer Services, Safety and Regulation, Department of Transport and Main Roads**

**WILKINS, Mr Peter, Executive Director (Policy Planning and Regulation), Maritime Safety Queensland, Customer Services, Safety and Regulation, Department of Transport and Main Roads**

**CHAIR:** I welcome representatives from the Department of Transport and Main Roads, who have been invited to brief the committee. I invite you to provide an opening statement and then we will have some questions.

**Mr Magoffin:** Good afternoon, Chair and committee. Thank you for the opportunity to brief you here today. My name is Geoff Magoffin. I am the Deputy Director-General of Customer Services, Safety and Regulation for the Department of Transport and Main Roads. I am here today with Kell Dillon, our General Manager of Maritime Safety Queensland, and Peter Wilkins, who is our Executive Director (Policy Planning and Regulation) at Maritime Safety Queensland. I will now hand over to Mr Dillon to walk you through an overview of the regulation.

**Mr Dillon:** Thank you and good afternoon, Chair and committee. Thanks for inviting us today to explain some aspects of the new regulation. This regulation does three core things: one, it expands the circumstances for when a life jacket must be worn in Queensland waters; two, it phases out older-style life jackets that do not comply with current Australian standards; and, three, it establishes Lake Wivenhoe as a marine zone. I would like to address each one of these outcomes in turn, starting with the new rules for wearing a life jacket.

Firstly, the crux of the changes here is the requirement for life jackets to be worn during certain heightened risk boating activities. Evidence indicates that, in doing so, the safety of boat-loving Queenslanders will be increased when on the water. The emphasis is on wearing life jackets in these circumstances rather than simply having them on board because fatal situations can occur so rapidly when out on a boat it may be too late to locate and fit a life jacket in time to save your life or the life of a loved one. Since 1 December 2024, it has been compulsory to wear a life jacket during the

following four specific activities of heightened risk: one, when boating alone or only with children under 12 years of age on an open boat of less than 4.8 metres in length only while underway; two, when boating at night on an open boat of less than 4.8 metres in length only while underway; three, when crossing a designated coastal bar on an open boat or an open area of a boat of any length; and, four, when carrying children aged one year or more and under 12 years of age on an open boat or an open area of a boat of any length whilst underway. The children are also required under those circumstances to wear a life jacket.

I appreciate there has been a disallowance motion raised to aspects of this regulation. I wish to provide some facts relating to the relevance of the changes to the whole of the state and the incorrect suggestion that these new rules make wearing a life jacket mandatory at all times, even when a boat is secured.

Marine incidents can happen anywhere to anyone at any time. It does not matter what part of the state you might be in. Some of the statistics on this matter make confronting reading. In the last five years in the Brisbane region, only four out of the 26 people who are recorded to have drowned or are presumed to have drowned were known to be wearing a life jacket. In the Cairns, Townsville, Mackay and Gladstone regions in the same period, only one person out of the 38 people who are recorded to have drowned or are presumed to have drowned was known to be wearing a life jacket. Evidence points to an increased chance of survival if someone is wearing a life jacket when they go into the water unexpectedly. In 2023 alone, 12 of the 16 fatalities that occurred in Queensland waters were from drowning. Not one of those 12 people was wearing a life jacket.

I would also like to highlight that, for three of the heightened risk activities, the emphasis is on the boat being underway. If you are anchored, the rules do not apply and you are free to move about the boat without a life jacket. Wearing a life jacket in these cases when underway is now required because it will increase the chances of someone's survival if they unexpectedly end up overboard in any stretch of water across the state.

These new rules were refined through a state-wide consultation process held in late 2022. The responses showed broad support across the community and the industry for improved safety practices in situations of heightened risk. The assertion that life jackets save lives is not contentious in Australia. It is one of a few areas where there is a unified message across the nation, and that message is to wear the life jackets.

Queensland is catching up with the other states and reflecting this in our legislation. Our new law is now aligned with New South Wales, Victoria and South Australia who all have similar rules when boating alone or at night in smaller boats. In fact, Tasmania has stricter regulations than all of the other states. This consistency helps promote further safety for boaters not just from Queensland but from all over the country as people do not have to worry about changes in rules or understanding different rules when they cross state lines.

The second outcome of the regulation phases out older style life jackets that no longer comply with the current Australian standard known as AS4758. This revision also aligns Queensland with the other states in removing older style life jackets from use, specifically those that have not complied with the Australian standards since 2008 when AS4758 was introduced. In general, life jackets have a serviceable life of around 10 years. These older style vests have been allowed to remain in service for longer than that so it is time to gradually discontinue them. They have been superseded by safer vests that are of a better design, include additional safety features and have increased buoyancy, and that is all under the new Australian standard.

The other reason this is important is because life jackets also lose their buoyancy over time. Zippers and clips can also break and colours and reflective tapes fade which makes you less visible to rescuers if you end up in the water unexpectedly. Life jackets are akin to the seatbelts of the sea and need to be worn properly to be at their most effective. Wearing a life jacket that meets the Australian standards when operating a boat in situations of heightened risk will keep people safer as they enjoy the magnificent waterways that Queensland has to offer.

The third outcome of the new regulations is an amendment regulation to establish Lake Wivenhoe as a marine zone. Lake Wivenhoe is South-East Queensland's largest water storage and is the main supply of drinking water for Brisbane and the Greater Ipswich area. It is also a popular spot for recreational, on-water activities. Marine zones can be proposed by state or local government entities to the general manager of Maritime Safety Queensland. In this instance, the proposal we have brought forward by Seqwater is to protect the water supply, lake users and environmentally sensitive areas.

Seqwater is Queensland's bulk water supply authority which manages Lake Wivenhoe and its dam. In 2022, Seqwater undertook extensive local stakeholder and community consultation that recorded no significant opposition to the establishment of a marine zone. In 2023, it undertook its own further consultation via online and social media channels. The majority of the respondents were supportive of the proposal.

Seqwater already had an established set of site rules for the waterway, which included a six-knot speed limit and an exclusion zone near the dam wall. These local site rules were introduced into law with this regulation being made. Prior to this, Seqwater had no power to enforce the site rules and issue infringement notices. Now, as a marine zone, restrictions can be enforced by MSQ-appointed shipping inspectors and fines can be issued when necessary to protect the area and reduce unsafe vessel operation. I thank the committee once again for the opportunity to brief you on this important piece of legislation today and we welcome any questions on any aspect of the regulation.

**CHAIR:** Thank you very much, Mr Dillon. I will go to the member for Aspley.

**Mr MELLISH:** Thank you, gentlemen. It is a fantastic regulation, if I can say. Anyone who had anything to do with drafting it, or indeed signing off on it, should be commended. I know some sections came into force from September and most came into force from December. Do you have any feedback on how the enforcement and education piece is going and how it is being accepted in the broad community?

**Mr Dillon:** Very well is the answer. Most of them came into force of course at the beginning of December. It has only been six or seven weeks. We have been doing extensive education and answering questions of people on the water. We have decided to defer any enforcement of the new regulations until 1 July to allow people a reasonable period of time to get used to the new regulations. What we have found from most of the questions that we get on the water is that some people think that it is about life jackets on all people on all occasions on all vessels at all times. Most of the questions we get are around that.

What we do is we go through the heightened risk situations and why it would be reasonable to be wearing the life jackets that they already have onboard. I make the point that the new regulations do not require people to buy new life jackets. What we are requiring is that people wear the life jackets that they already have onboard during certain high-risk situations. That is the nub of it. When that is explained to people on the water, it is very well accepted and we are getting no push back whatsoever. People are very accepting of the new rules and they think that it is quite reasonable. That has been the response right across the state.

**Mr KEMPTON:** Mr Dillon, the Cook electorate probably has about half of the Queensland coastline and there are a lot of people using open boats in dangerous waters at night with children. What is more of a challenge in particular in the Torres Strait is how are we going to resource the enforcement of this? How are we going to enforce people to put life jackets in their boats that are not there now? How are we going to educate them? More importantly, how are we going to enforce this regulation in that area because it is a massive challenge? It is by no means a criticism but it is certainly an issue that we need to deal with.

**Mr Dillon:** You are quite right. It is a challenge. I am personally very familiar with the Torres Strait. I have been up there for 35-odd years on and off. I am very aware of the movement of people around the islands in particular and around Cape York, on both sides of the cape, and how it is not just a recreational activity that it is in the south-east of the state; it is an essential movement of people activity all over the islands. Personally I have been through the islands of New Guinea and the Solomon Islands and they are all exactly the same. I am very aware of that. People cross long stretches of water in open boats and it is a particular challenge.

We have been concentrating on that, as have Maritime Safety Queensland in particular, with our partners the Queensland Police Service. We have been very active in that space, particularly in the last couple of years. We have been rolling out the Torres Strait Marine Safety Program. It has been very well received across the islands. We get it that there is a lot to do. Over many years we have been concentrating, in partnership with the Australian Maritime Safety Authority as well as the Torres Strait Regional Authority, on rolling out safety programs which have been very successful in driving down the number of search and rescue events that happen every year, but there is a lot to do and we get that.

Last calendar year we had our officers visiting a lot of the islands and doing workshops. We would like to see more workshops rolled out not just for maritime safety in the pure sense of wearing life jackets and how to operate boats. We would like to hold workshops on how to operate boats safely

in severe weather conditions, how to plan your trip effectively and when is the right time to do it—tide, wind and those sorts of things. That can reduce the incidents out there. We would like to hold workshops on the maintenance of vessels to make sure that vessels are well maintained. There are particular nuances up there as well. For example, with the advent of four-stroke engines—they are lovely motors and very reliable but they are not as easy to work on as the old two-stroke. That is one example of things that we are aware of. We are working very closely with the communities in rolling out safety campaigns and making sure that they are tailored for the particular circumstances those people find themselves in.

**Mr KING:** Firstly, I would like to commend you on this. Anything safety related is a good thing. It is not just shooting from the hip. It makes absolute sense, and you have highlighted the evidence needed. I have a few questions and I will throw them all in together. It has been commented in public debate on this disallowance that life jackets are only needed at night. I think we are all in agreement here that they are needed at any time. Can you comment on the idea that life jackets are only needed at night and the hazards that still exist during the day? I love the way you said they were 'seatbelts of the sea'. Where did the figure of 4.8 metres come from?

**Mr Dillon:** Thank you, member for—I was looking at how to pronounce Kurwongbah?

**Mr KING:** Lake Kurwongbah is a substantial body of water. We have skiing and life jackets.

**Mr Dillon:** Excellent. Just to clarify the question, you are asking me that it is not just at night that we need to wear life jackets?

**Mr KING:** Yes and to counter the argument that life jackets should only be worn at night. I think they should be worn all the time when a boat is moving or underway. You highlighted that there is a misconception that it is a requirement to wear a life jacket all the time, but it is only when the craft is underway. You have highlighted that.

**Mr Dillon:** That is right. We received a lot of those comments during the public consultation. We listened very carefully to that. We amended the regulations to make sure we were getting it right. It is in everyone's interest to make sure the regulations are appropriate and well received by the public and that people can see the logic to it. As I said before, when we explain to them that we are only requiring them to wear the life jackets they already have onboard during certain high-risk situations, people get that and understand that. There is a misconception that we are requiring people to wear life jackets all the time on every boat in every circumstance, and that is not the case.

The heightened risk situations are when you are boating alone, when you are boating at night and when you are crossing coastal bars, keeping in mind that coastal bars exist in Queensland south of Inskip Point pretty much—the Wide Bay Bar entrance. In the north of the state, because of the Barrier Reef, they do not have the ocean conditions interacting with river conditions that cause a designated coastal bar. Coastal bars are very dangerous, particularly on an outgoing tide when you have high wind conditions and sea conditions and they collide and the waves stand right up. You combine that with being at night and a person being alone and all those factors come together.

We think it is not unreasonable during those high-risk situations when a person is alone, when it is at night or when crossing a coastal bar—they are the three main ones—and then when there are children under 12. When we explain that to people—boating alone at night is only one of the four. You are quite right, but other high-risk situations are as I described. We encourage people to wear life jackets all the time of course, but we are requiring people under those high-risk situations on open boats of 4.8 metres or less when underway to be wearing life jackets.

Why 4.8 metres? We do have an answer for that. Consistency among jurisdictions is helpful for the many visitors to Queensland and for those moving here from interstate. The size of 4.8 metres is also consistent with rules for similar high-risk situations in New South Wales, Victoria and South Australia. As I said before, Tasmania has similar requirements applying to boats under six metres. They apply at six metres rather than at 4.8 metres. Western Australia has life jacket wearing requirements for boats under 4.8 metres when operating more than 400 metres from shore in unprotected waters. There are nuances state by state just like there are with road rules, but we want to make it as consistent as we can.

Just quietly, we do get feedback of why is 4.7 metres not safe and 4.9 metres is? You have to draw a line in the sand somewhere. We have chosen 4.8 metres because of the circumstances I described—it being consistent with other states. What we define as a smaller vessel versus a larger vessel is generally where our rules align with other jurisdictions as well. We try to line those up together so it is consistent for people and easy to understand.

**Mr KING:** For tourists coming up from interstate.

**Mr Dillon:** That is the biggest one. They come up to South-East Queensland in particular. If it is 4.8 metres in New South Wales or Victoria and it is 4.8 metres here, they understand that. If it is 4.9 metres or 4.7 metres or something, it makes it confusing. We want people to understand it so that they find it easier to comply.

**CHAIR:** I appreciate the answer about the 4.8 metres. I did not know whether there was some other reason for that. The requirement is to wear a life jacket on boats under 4.8 metres whilst underway. If the boat is anchored then people do not need to wear a life jacket unless it is at night or is it only at night when the boat is underway as well?

**Mr Dillon:** The key part is it being underway. That was part of the feedback we received during the consultation period. People were quite not adamant but robust in their feedback about being able to anchor and walk around the boat and fish and so on. We accept that most people are at anchor for a reason—for pleasure purposes. They are swimming or paddling ashore or fishing. In terms of wearing a life jacket during those circumstances, from our perspective it is probably not unreasonable that you can move around the boat without wearing a life jacket. There were questions about people swimming and so on as well and do they have to wear a life jacket. We tried to draw a line in the sand there as well to make it easy.

When you are at anchor, you do not have to wear a life jacket. We have always encouraged people, as I said before, to be wearing life jackets during high-risk situations. You may decide to. You may decide at anchor to wear it anyway but you are not required to by the regulation because what we are trying to do is make it fair and reasonable, taking into account the feedback we received and why you would be anchored. We are trying to make it reasonable for people to understand and therefore comply with.

**CHAIR:** The other point of clarification is around the definition of an 'open boat'. There are a lot of boats of 4.8 metres or thereabouts that have a cabin, although the cabin is open at the back. Is that considered an open boat or do you have to get up to the size of, say, a charter boat?

**Mr Dillon:** An open boat has a definition. It is on our Maritime Safety Queensland website. People can find that but just to tell you what that is: an open boat does not have a permanent rigid deckhouse, cabin or other enclosed space for people with only one way in or out. That is really the definition. I get asked about biminis and so on as well, but it is about a rigid part of the boat with one way in and one way out. Outside of that then therefore is an open part of the boat. If the boat is not an open boat then the open area is anywhere on the boat outside the deckhouse, cabin or enclosed space. The legal definition is in section 24, subsection (6) of the Transport Operations (Marine Safety) Regulation 2016 just for the record.

**CHAIR:** If you are in a cabin you would not be required to wear a life jacket, but if you are outside the cabin on the deck you would.

**Mr Dillon:** That is exactly right.

**CHAIR:** I think there have been a lot of questions about the implementation of this. You highlighted yourself, Mr Dillon, the confusion in the community. I think today you have certainly highlighted for me a lot of clarification around that. Do you have other questions, Deputy Chair?

**Ms BUSH:** I do if there is time.

**CHAIR:** Of course there is.

**Ms BUSH:** I have come from the legal affairs committee, so I will not say this is a refreshing change but it is a nice change. Excuse some of my questions to you. You were stepping through some of the different stakeholders involved, and that was interesting to me. Can you tell me a little bit about the market segmentation in terms of how you communicate to stakeholders? I am hearing there are recreational fishers. There are people who are transiting. There are tourists. What does that comms piece look like for you?

**Mr Dillon:** Just to clarify the question, are you asking about the consultation that we did in the lead-up or what education programs we have planned before the implementation?

**Ms BUSH:** That is great clarification. In moving forward, I would be interested in how you will communicate and proactively get those messages out?

**Mr Dillon:** The simple answer is all of the above. We have an extensive education program planned. At the moment we are keeping it localised. Boat ramps are a good spot because there is a captured audience and our people can talk to them and particularly out on the water is what we have been doing to date. We have an extensive program planned. We have our own social media handles—Facebook, Instagram, Twitter and so on—as well as plugging into the greater TMR

communication network. We will be doing that right across the maritime sector. Those social mediums are good because they can transcend borders and local areas. We can target certain areas or we can go right across the board. There will be social media, mainstream media and other mediums. We really want to get the message out there and communicate with people and clarify why these new rules are required—when you have to wear a life jacket, for sure.

We are doing that as well as education days, boat shows and boat ramps. Fishing events are really good. When they have a big fishing event in one of the regions our officers go up there and talk to people at boat ramps and people on the water because you have a captured audience for a particular segment of the population. That is really effective. Last year we had a stand at the Ekka. It was very well populated; people dropped in all the time. We will be doing those sorts of things throughout the year. Those are part of our plans going forward.

**Ms BUSH:** Do I have time for one more question?

**CHAIR:** Yes, we have a few more questions too.

**Ms BUSH:** I imagine there are people who are really pro-active in this space. There are probably people like myself who would jump on a boat and look for a lifejacket. I imagine there are also people who are resistant to change for a range of reasons. I am interested in understanding that more stubborn, persistent cohort of people who are a bit more reluctant. How are you breaking through that?

**Mr Dillon:** Yes, for sure. We do have that spectrum just as you do in the road space. It is exactly the same sort of thing. We see the same things out on the water. Despite the evidence being very compelling that life jackets have been proven to save lives, there is still a segment of the population that either is not convinced or find it hard to accept. I will provide you with some stats from our feedback. The boating alone requirements were the ones that did not get as many positive reactions as the other regulations. Boating at night, crossing bars and children were generally well accepted and well supported. Boating alone did not get as much support. There was still reasonable support, but not as much individually. Public feedback showed that 58 per cent did not support it. That is interesting. We asked supplementary questions to understand why rather than just asking a basic question without supporting evidence. Those who were not supportive indicated that they were also members of the public who boated alone and never wore a life jacket while doing so. Those people who do not support the change are also most at risk and the very group whose behaviour we would also seek to change. The group of people we find overrepresented in near misses and fatalities every single year, year after year, is men over 50. That is the very same group who do not like to wear life jackets when they are boating alone.

We take that onboard, but we also have to look at it from a holistic perspective and make decisions on behalf of the public, because that group keeps popping up in the statistics. Their families also want to know why those regulations were not put in place, so we have to balance that. It is just like seatbelt laws. There are some people in the community who do not accept seatbelt laws, but we have to have a rule in place across society because we know the outcomes. The numbers I read out before are quite confronting. In the 2023 calendar year, there were 14 fatal marine incidents that resulted in 16 lives lost. Of those lives lost, nine drowned and four were presumed drowned and lost at sea, so there were 13. None of those 13 individuals was known to be wearing a life jacket, and that is repeated year after year. In the five years previous, 64 people drowned and 59 of them were not wearing life jackets. The numbers are quite confronting and compelling.

**Mr JAMES:** I totally agree with everything you said. I have been a boatie myself for a number of years. Is it worthwhile putting advice statements in there that go a little bit further—particularly when the boat is at anchor—that young children should be wearing life jackets?

**Mr Dillon:** Our education campaigns work on that all the time. As I was saying earlier, we encourage people to exceed these limits. These are the minimum standards. We always encourage people to exceed them. The master of a vessel should take into account the risks that are involved in a particular circumstance because we cannot legislate for everything in every circumstance all of the time. For example, this morning we were talking about weather conditions and people planning their day. In Queensland during the summertime the weather can be quite volatile, particularly in the afternoons with thunderstorms, and the masters of vessels have to be attuned to that. What might be okay in the morning might not be okay in the afternoon. If there are black clouds you might not need to wear your life jacket, but if you can see a storm coming it might be a good idea for everyone onboard to put their life jacket on. You might be at anchor in a certain area and it might be fine in the morning, but if the tide changes or the weather conditions are not looking that good, or there might be another circumstance you are not comfortable with, put your life jacket on. We encourage people

to be attuned to the circumstances in which they find themselves and the risk factors around them. If you are in doubt, exceed the standards. If you are in doubt, do something about it and put on the life jacket.

**CHAIR:** We have one more question from the member for Cook.

**Mr KEMPTON:** This is probably more a comment than a question. Going back to the Torres Strait, the principal form of transport is open boats. There is no public transport and there are certainly no motor cars, so boating is not for recreational purposes: it is often for cultural purposes, work, health and a whole lot of other reasons. More and more every year recreational fishers go out there who are going to be compliant and they are going to see all of these boats that are not. I can see some real challenges with getting those boat users up there to be compliant with this. I do not know what the stats are around loss of life. Given the risks they take, it is probably not as high as it should be. There was a recent incident where a health worker was forced onto a boat because the airline closed. That woman drowned and her body was never found. There are a lot of interfaces around why people are in these boats. As the member, I would like to work with you in meeting those challenges over time.

**Mr Dillon:** Thank you, member for Cook; you are quite right. We would be very happy to work with you on that. That is something very near and dear to our hearts. We understand the differences in the Torres Strait and both sides of Cape York. People move around by boat through necessity and not necessarily for recreational purposes, and that provides different challenges. That means they are crossing open water, which are longer journeys, with kids onboard. There have been some tragic incidents up there which we are well aware of. I am well aware of that particular incident.

Our Torres Strait Marine Safety Program is targeting those areas because we know those heightened risks and we want to make that whole situation a lot better. The challenge of getting your engine serviced, for example, is a whole lot different in Saibai than in Cairns. We are well aware of that. That is why we wanted to start doing some of these workshops and looking at ways we can help make boats safer in the first place. In terms of safety gear, we did a campaign a few years ago with grab bags on board. It is not perfect, but it is a good start. I has helped a lot. There have been some tragic incidents up there which you know about, and we really want to focus on that and make sure we try and avoid those in future.

**CHAIR:** That concludes this briefing. Thank you to everyone who has participated today. Thank you to our Hansard reporters and broadcast staff. A transcript of these proceedings will be available on the committee's webpage in due course. I declare this public briefing closed.

**The committee adjourned at 12.38 pm.**