




Speech By  
**Hon. Mark Bailey**

**MEMBER FOR YEERONGPILLY**

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Record of Proceedings, 16 February 2016

**TRANSPORT OPERATIONS (MARINE SAFETY-DOMESTIC COMMERCIAL VESSEL NATIONAL LAW APPLICATION) BILL; TRANSPORT OPERATIONS (MARINE SAFETY) AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (9.49 pm), in reply: I would like to begin by thanking all honourable members for their contribution to the debate today on the Transport Operations (Marine Safety—Domestic Commercial Vessel National Law Application) Bill 2015 and the Transport Operations (Marine Safety) and Other Legislation Amendment Bill 2015. As members have heard throughout this debate, these bills will amend Queensland’s marine safety legislation to ensure there is no overlap between state and federal legislation in the regulation of domestic commercial vessels.

The bills make consequential amendments to the state’s marine laws to remove redundant provisions which have no ongoing application because they applied to domestic commercial vessels. In focusing on the national reform and to echo the sentiments from the introduction of the national law as articulated by the then minister for infrastructure and transport, this national reform has resulted in an improvement for industry in line with the strategic intent of the Council of Australian Governments intergovernmental agreement for the regulation of domestic commercial vessels. Upon introducing the national bill into the Commonwealth parliament, then minister Anthony Albanese stated that the establishment of a national system of regulation ‘means that people who rely on commercial vessels for their livelihood can be confident that every commercial vessel, wherever it is in Australian waters, will be required to meet the same nationally agreed safety standards.’

Similarly, people who design and build commercial vessels in one jurisdiction do not have to have that vessel recertified each time they sail into a different jurisdiction’s waters. Finally, it means that companies who operate national businesses and have vessels in more than one state no longer have to grapple with different regulatory and administrative requirements to manage their fleet and crew.

Amendments to Queensland’s existing legislation by the Transport Operation (Marine Safety) and Other Legislation Amendment Bill affect provisions dealing with registration, licensing, competency of crew, certificates of survey and compliance for commercial and fishing vessels. This will ensure that Queensland’s remaining maritime fleet is effectively managed under state legislation.

It will be clear that provisions under the Transport Operations (Marine Safety) Act 1994 which deal with registration and licensing and general safety obligations only apply to recreational ships and those ships that have been excluded from the definition of domestic commercial under the national law. These ships will be known as Queensland regulated ships, and this is a defined term under the new legislation. This will also assist in the remake of key subordinate legislation, namely, the Transport Operations (Marine Safety) Regulation 2004, which is a key piece of marine regulation for the state. This regulation is being reviewed and remade due to its staged expiry under the Statutory Instruments Act 1992.

I note the comments from the member for Kallangur and chair of the Utilities, Science and Innovation Committee which reviewed the bills. I again thank the committee for their consideration of these two bills. As part of this discussion and review of marine safety legislation, which is designed to ensure the safe operation of domestic commercial vessels in Australian waters, we need to acknowledge the work of the Maritime Union of Australia and their focus on the safety of mariners. This union is not alone in working for the safety of people working on ships and at sea, but they certainly play a strong role in the industry.

These bills will provide certainty around the operation and governance of Queensland's remaining marine fleet and preserve and amend Queensland's existing marine legislation to continue to effectively manage the state's remaining marine fleet and associated waterways interests. In a state like Queensland it is essential that we do everything we can as a government to support a vibrant and robust maritime industry. These bills work to achieve exactly that. In closing, I would like to say a sincere thank you to my hardworking ministerial and departmental staff for their dedication, flexibility and professionalism in preparing this legislation. I commend the bills to the House.