



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF DECISION

Marine Safety Regulations 2023

I, Melissa Horne, Minister for Ports and Freight and Minister responsible for administering the **Marine Safety Act 2010**, give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to make the proposed Marine Safety Regulations 2023 (the proposed Regulations).

The proposed Regulations prescribe certain matters necessary for the operation and effective implementation of the **Marine Safety Act 2010**.

The objective of the proposed Regulations is to provide for the following matters relating to the safety of marine operations –

- (a) the registration and operation of recreational vessels; and
- (b) the licensing of masters of recreational vessels and regulated hire and drive vessels and endorsements on marine licences; and
- (c) the prescription of various other matters for the purposes of the **Marine Safety Act 2010**.

An exposure draft of the proposed Regulations and a Regulatory Impact Statement were made available for public comment on the Engage Victoria website between 16 June 2022 and 15 August 2022. The Department received 90 submissions.

After consideration of the submissions in accordance with section 11 of the **Subordinate Legislation Act 1994**, I have decided to proceed with the making of the proposed Regulations with the following amendments:

- allow the use of lifejackets prescribed under the Marine Safety Regulations 2012 until 1 July 2028 (from this date, only lifejackets complying with the latest Australian standard will be permitted);
- prescribe further items that must be included in the safety management system of a pilotage services provider, including:
 - additional measures that provide for controlling any risks to safety associated with the fatigue of pilots and other marine safety workers;
 - a requirement that the systems and procedures for the safe performance of pilot transfer operations include systems and procedures for training pilots and marine safety workers to coordinate pilot transfer operations;
 - a requirement that pilotage services providers have systems and procedures in place to ensure that any safety risks arising from multiple pilotage services providers operating in close proximity to each other are appropriately identified and managed;
- extend the timeframe that the regulator has to respond to applications for boating activity exemptions, exclusion zones and works from 10 to 28 business days;
- other miscellaneous and technical amendments.

The Statement of Reasons for my decision to make the proposed Regulations is available at <http://engage.vic.gov.au/marinesafety>

Dated 22 May 2023

HON. MELISSA HORNE MP
Minister for Ports and Freight

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