



AUSTRALIAN MARITIME OFFICERS UNION

ABN: 56 181 230 800

Incorporating: Merchant Service Guild of Australia and Australian Stevedoring Supervisors Association

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13 April 2012

Committee Secretary
House of Representatives Standing Committee
on Infrastructure and Communications
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary

RE: INQUIRY INTO SHIPPING REFORM BILLS

Please find enclosed the Submission of the Australian Maritime Officers' Union.

Yours faithfully

John Wydell
Industrial Officer
Bluewater Section
Offshore Division
Australian Maritime Officers' Union

AUSTRALIAN MARITIME OFFICERS UNION

**SUBMISSION TO THE HOUSE OF REPRESENTATIVES STANDING COMMITTEE
ON INFRASTRUCTURE AND COMMUNICATIONS**

INQUIRY INTO

THE COASTAL TRADING (REVITALISING AUSTRALIAN SHIPPING) BILL 2012;

**COASTAL TRADING (REVITALISING AUSTRALIAN SHIPPING)
(CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS) BILL
2012;**

**SHIPPING REGISTRATION AMENDMENT (AUSTRALIAN INTERNATIONAL
SHIPPING REGISTER) BILL 2012;**

SHIPPING REFORM (TAX INCENTIVES) BILL 2012;

TAX LAWS AMENDMENT (SHIPPING REFORM) BILL 2012

- 1 The Australian Maritime Officers Union (AMOU) welcomes the opportunity to make a submission to this Inquiry.
- 2 The AMOU is highly satisfied with the level and quality of consultation on the development of the Bills.
- 3 There are elements of the Bills that the AMOU would have preferred be formulated differently. Of concern to our members is the dis-application of the *Seafarers Rehabilitation and Compensation Act 1992 (SRC Act)* to all seafarers on board vessels registered under the Australian International Shipping Register. (see Item 20 of the *Coastal Trading (Revitalising Australian Shipping) (Consequential Amendments and Transitional Provisions) Bill 2012*)
- 4 There is concurrently a review of the coverage of the SRC Act being undertaken by the Seafarers Safety Rehabilitation and Compensation Authority (**Seacare Authority**). As part of that review the AMOU submitted that it:

strongly supported the establishment of a procedure which allows an operation of a ship to opt into coverage by the SRC Act. Regulations should provide the procedure and circumstances governing the making of a declaration of coverage by the Seacare Authority. Such applications should be permitted when an employment contract or collective agreement (including a FW Act Enterprise Agreement) provides for SRC Act coverage of some or all of the crew upon a ship that fit within the definition of a prescribed ship. Two of the crew of a ship registered on the Australian International Shipping Register must be Australian nationals or residents (sec 33A Shipping Registration Bill 2012). It may be appropriate in those circumstances that the employment contract or collective agreement provide for SRC Act coverage in respect to those Australians.

The definition of the jurisdiction of the SRC Act by discrete legislation dictates that the inclusion of ships that hold an "opt in" declaration under the Navigation Bill 2012 is not appropriate.

- 5 The AMOU would support the committee determining that said item 20 should be removed.

Dated 13 April 2012