

CLASSIFICATION NEWS

July 27, 2010

No.26/2010

STATUTORY ALERT Helicopter operations on board ships in Australian waters

APPLICABILITY All shipowners and operators

INFORMATION The Australian Maritime Safety Authority has issued Marine Order No 57 (Issue 3) and Marine Notice 6/2010, relating to helicopter operations on board ships in Australian waters. These are available at the AMSA website www.amsa.gov.au and are attached to this Classification News.

These revised requirements apply equally to Australian flag vessels and ships registered in other countries but operating in Australian territorial waters, and enter into force on August 1, 2010. They apply to all helicopter operations, including pilot transfer.

Among the changes is a clear requirement that vessels on which a helicopter is likely to land have on board documentary evidence that the designated landing surface is able to withstand the static and dynamic loads associated with such a landing.

This analysis may be provided through the vessel's classification society.

The revised requirements also recognise the International Chamber of Shipping's (ICS) Guide to Helicopter/Ship Operations 4th Edition (2008) as the guiding standard in place of the Australian Code of Safe Practice for Ship Helicopter Operations. The applicable requirements of the ICS Code need to be considered and reflected in operational procedures on board. Where alternative standards are used they should be shown to be at least as effective as the ICS requirements.

It should be noted that any ship intending to conduct helicopter operations, regardless of the location, should comply in full with the Rule requirements for helicopter operations which apply to all ships.

HELP US TO HELP YOU – if you are an owner or operator and require further assistance, please get in touch with your local Lloyd's Register Group office at the earliest opportunity and we will be happy to assist.

Further information

Contact: Alan Williams
T +61 (0)3 9864 1651
F +61 (0)3 9866 6377
E alan.williams@lr.org

www.lr.org

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Australian Government
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MARINE ORDERS

Part 57

Helicopter operations

Issue 3

Order No. 3 of 2010

Pursuant to Subsection 425(1AA) of the *Navigation Act 1912*, I hereby make this order repealing Marine Orders, Part 57, Issue 2, and substituting the attached Marine Orders, Part 57, Issue 3, to come into operation from 1 August 2010.

Graham Peachey
Chief Executive Officer
31 May 2010

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Previous issues

Issue 1, Order No 13 of 1999
—*Renumbered from Part 18 by Order No 2 of 1997*

Issue 2, Order No 2 of 1997

1 Purpose and power

1.1 Purpose

This Part of Marine Orders makes provision for and in relation to:

- (a) the protection of the health and the security from injury of persons engaged in the loading or unloading of ships; and
- (b) the safety of persons, including pilots, going on or coming from, or on board, ships, in connection with transfer operations by helicopter.

Note Helicopters used in ship/helicopter transfer operations are subject to the jurisdiction of the Civil Aviation Safety Authority (CASA) and must comply with relevant CASA regulations.

1.2 Power

- 1.2.1 Paragraph 425(1)(c) of the Navigation Act provides for the regulations to make provision for and in relation to the protection of the health and the security from injury of persons engaged in the loading or unloading of ships.
- 1.2.2 Paragraph 425(1)(e) of the Navigation Act provides for the regulations to make provision for and in relation to the safety of persons, including pilots, going on or coming from, or on board, ships.
- 1.2.3 Subsection 425(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to the Act.
- 1.2.4 Subsection 425(1AA) of the Navigation Act provides that AMSA may make orders with respect to any matter for or in relation to which provision may be made by regulation.

2 Definitions of words and phrases used in this Part

AMSA means the Australian Maritime Safety Authority established by the *Australian Maritime Safety Authority Act 1990*;

ICS Guide means the *Guide to Helicopter/Ship Operations*, 4th Edition (2008), published by Marisec Publications, London, on behalf of the International Chamber of Shipping;

operator means the owner of the ship or any other organisation or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibility imposed by the International Safety Management Code;

penal provision means a penal provision for the purposes of Regulation 4 of the *Navigation (Orders) Regulations 1980*;

Note Subregulation 4 (1) of the Navigation (Orders) Regulations provides that a person who fails to comply with a provision of an order made under subsection 425(1AA) of the Navigation Act that is expressed to be a penal provision is guilty of an offence and is punishable by a fine not exceeding 50 penalty units. The maximum penalty that a court may impose on a body corporate that fails to comply with a penal provision is 250 penalty units.

3 Interpretation

In this Part:

- (a) headings and subheadings are part of the Part; and
- (b) a note is not part of the Part, but may provide additional information or guidance in applying the Part.

4 Application

This Part applies to and in relation to:

- (a) a ship registered in Australia; and
- (b) a ship registered in a country other than Australia that is in the territorial sea of Australia or waters on the landward side of the territorial sea.

5 Arrangements on ships

5.1 Requirement for safe arrangements

The master of a ship must not permit the transfer of persons or goods from helicopter to ship, or vice versa, unless:

- (a) the owner or master has provided such shipboard arrangements, equipment, training and drills as:
 - (i) are necessary and reasonable for emergency evacuation of persons from the ship;
 - (ii) are appropriate and reasonable for the normal operations of the ship; and
 - (iii) are at least as effective as those specified in the ICS Guide;
- (b) the arrangements, equipment, training and drills have been included in the safety management system on board the ship;
- (c) the master has provided instructions to the members of the crew on their responsibilities relating to giving effect to the ship's safety management system; and
- (d) the master is satisfied that:
 - (i) the equipment is maintained in working order and readily available for use; and
 - (ii) the specified training has been carried out.

This is a penal provision.

Note The arrangements, equipment, training and drills referred to in this provision apply only to those relating to the preparations on a ship and the ship/helicopter interface during the transfer operation. Any guidance in the ICS Guide dealing with operations or activities not directly related to the ship are not covered by this provision, although such guidance may provide useful background for the owner and master when considering the safety management system for the ship.

5.2 Helicopter landing and operating area

- 5.2.1 When the location and size of a helicopter landing or operating area are being determined, the recommended dimensions and obstacle free zones in the ICS Guide are to be implemented as far as practical. Any divergence from the recommendations in the ICS Guide should be clearly

documented and communicated to the helicopter pilot prior to commencing operations. Any obstacles within the helicopter landing or operating area that do not comply with the ICS Guide must be clearly marked.

- 5.2.2** The operator of a ship on which a helicopter is likely to land must ensure that there is available on the ship information relating to ability of any deck surface to withstand the static and dynamic loads imposed by a helicopter landing on that surface.

Note The information referred to in this provision would normally be provided by, or based on criteria provided by, the Classification Society carrying out the ship's surveys.

- 5.2.3** The master of a ship must, when requested, provide the information referred to in 5.2.2 to:
- (a) the pilot of a helicopter; or
 - (b) a surveyor; or
 - (c) any other person with an interest in the safe operation of a helicopter on the ship.

- 5.2.4** The master of a ship must not authorise, or purport to authorise, the pilot of a helicopter to land on any deck surface not capable of withstanding the static and dynamic loads imposed by a helicopter landing on that surface.

5.3 Communications

The master of a ship must, when preparing for and conducting ship/helicopter operations, communicate to the helicopter operator or helicopter pilot, as appropriate, any information relevant to the safe conduct of the operation, including the details of the helicopter landing and operating area.

Note The ICS Guide contains comprehensive advice on information exchange.

5.4 Crew members' responsibility

Every crew member must:

- (a) carry out the instructions determined by the owner or master under 5.1(c); and
- (b) generally take such action as is reasonable to ensure that helicopter transfers are carried out safely.

This is a penal provision.

5.5 Medical or other emergency.

When it is necessary, due to medical or other emergency, either to evacuate a person requiring urgent medical attention or to embark or disembark medical or other emergency personnel, the master of the ship and the pilot of the helicopter may make such alternative arrangements as they consider appropriate in the circumstances, provided that safety is not thereby compromised.



**Marine Notice 6/2010
Supersedes 7/2006**

Introduction of Issue 3 of Marine Orders Part 57 - Helicopter Operations

Purpose

The purpose of this Marine Notice is to advise ship owners, operators and Masters, shipping agents, port authorities, pilotage providers, and helicopter operators that Issue 3 of *Marine Orders Part 57 Helicopter Operations* (MO 57) will come into effect on 1 August 2010.

Background

Ship helicopter operations, for a variety of purposes, are becoming increasingly commonplace in Australian waters. In response AMSA has revised MO 57 to ensure that these operations in Australian waters continue to be conducted with very high standards of safety and operational awareness. AMSA has accepted, as best practice, the International Chamber of Shipping's *Guide to Ship Helicopter Operations*, 4th Edition as it is the most up-to-date guide promoting standardised procedures for helicopter/ship operations worldwide.

Part 57 Issue 3

Issue 3 of MO 57 contains several changes, some of which will require action by Australian flagged ships and by other ships intending to conduct helicopter operations (including all marine pilot transfers) within Australian waters. These changes are:

- the Australian Code of Safe Practice for Ship Helicopter Operations is replaced by the International Chamber of Shipping's *Guide to Helicopter/Ship Operations*, 4th Edition (2008);

- a requirement is added to demonstrate that a ship's arrangements, equipment, crew training and drills for helicopter operations are included in the safety management system onboard and that the master has provided instructions to the crew;
- a requirement is added for documentary evidence to be carried onboard regarding the deck strength of any intended helicopter landing/operating area;
- an increased emphasis on detailed communication between the ship and helicopter operator/pilot regarding the location, size and any obstacles in the intended helicopter landing/operating area; and
- the inclusion of a provision for the conduct of emergency operations such as medical evacuations.

Safety Management System

Ships that conduct helicopter operations must have within their safety management systems, all the relevant helicopter operation procedures, emergency procedures, drills, training and equipment lists for conducting these operations.

Communication

Effective communication between ship and helicopter, in preparation for and during helicopter operations, is essential to ensure safety. This applies to messages passed between the ship operator, the ship's agent and the helicopter operator as well as between the helicopter and the ship.

Before the operation can be agreed it is essential that ship's masters and agents ensure that correct and detailed information concerning a ship's helicopter facilities are provided to the helicopter operator and that this is acknowledged.

Helicopter operators must ensure they communicate all important helicopter specific information, including helicopter weight, landing gear type and rotor diameter to the ship and the master should reply with formal acknowledgment.

Deck Surface Information

It is a fundamental safety requirement that the intended helicopter landing area is physically capable of withstanding the forces of a helicopter landing on it. MO 57 now requires that the documentary evidence regarding deck strength be available on board. This information must include the maximum helicopter weight (tonnes) that can be landed on the nominated helicopter landing area. This information may be provided by the classification society that conducts the ship's surveys.

Introductory Arrangements

The commencement date for Issue 3 of MO Part 57 will be 1 August 2010. Before this date ship owners, operators and masters, shipping agents, port authorities, pilotage providers and helicopter

operators should assess their compliance with this new Marine Order and, in particular, the documentation required onboard.

The International Chamber of Shipping's *Guide to Helicopter/Ship Operations*, 4th Edition (2008) is published by:

Marisec Publications
12 Carthusian Street
London EC1M 6EZ

Tel: +44 20 7417 8844

Fax: +44 20 7417 8877

Email: ics@marisec.org

Website: www.marisec.org

Graham Peachey
Chief Executive Officer
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Australian Maritime Safety Authority
GPO Box 2181
CANBERRA ACT 2601

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