Current IMO Priorities

Andrew Johnson
General Manager, Maritime and Shipping
Overview - roles

- Department of Infrastructure, Transport, Cities and Regional Development
- Australian Maritime Safety Authority
- Attorney-General’s Department
Maritime and Shipping Branch – legislation

- Australian Maritime Safety Authority Act 1990
- Carriage of Goods by Sea Act 1991
- Coastal Trading (Revitalising Australian Shipping) Act 2012
- Coastal Trading (Revitalising Australian Shipping) (Consequential Amendments and Transitional Provisions) Act 2012
- Competition and Consumer Act 2010 – Part X
- Limitation of Liability for Maritime Claims Act 1989
- Marine Navigation Levy Act 1989
- Marine Navigation Levy Collection Act 1989
- Maritime Legislation Amendment Act 2007
- Navigation Act 2012
- Port Statistics Act 1977
- Protection of the Sea (Civil Liability) Act 1981
- Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008
- Protection of the Sea (Harmful Anti-fouling Systems) Act 2006
- Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds—Customs) Act 1993
- Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds—Excise) Act 1993
- Protection of the Sea (Imposition of Contributions to Oil Pollution Compensation Funds—General) Act 1993
- Protection of the Sea (Oil Pollution Compensation Funds) Act 1993
- Protection of the Sea (Powers of Intervention) Act 1981
- Protection of the Sea (Prevention of Pollution from Ships) Act 1983
- Protection of the Sea (Shipping Levy) Act 1981
- Protection of the Sea (Shipping Levy Collection) Act 1981
- Shipping Reform (Tax Incentives) Act 2012
- Shipping Registration Act 1981
- Submarine Cables and Pipelines Protection Act 1963
IMO - structure

IMO Assembly

IMO Council

MSC

MEPC

LEG

TC

FAL

EE & Air Poll

WG

GHG WG

ISWG-GHG
# Priorities - IMO Conventions

<table>
<thead>
<tr>
<th>Subject</th>
<th>Convention</th>
<th>Action</th>
<th>Priority</th>
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<tbody>
<tr>
<td>Environment – pollution</td>
<td>MARPOL</td>
<td>Amend the Protection of the Sea (Prevention of Pollution from Ships) Act 1983 by 1 January 2020 to introduce equivalent sulphur compliance arrangements and implement a sulphur fuel carriage ban from 1 March 2020</td>
<td>High – to meet international obligations commencing in 2020</td>
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<tr>
<td>Liability and compensation – passengers and goods</td>
<td>Athens Convention 2002</td>
<td>Further stakeholder consultation, including a Regulatory Impact Statement. National Interest Analysis and new legislation required to implement</td>
<td>Medium – initial consultation indicates the increasing number of Australian cruise ship passengers could benefit from accession to the convention</td>
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<tr>
<td>Liability and compensation – hazardous and noxious substances (HNS)</td>
<td>HNS Convention 2010</td>
<td>Full policy assessment process (noting process was unsuccessful in 2012 due to industry concerns)</td>
<td>Medium – not in force internationally, however, increasing international uptake to cover liability for HNS damage - Canada is a strong advocate</td>
</tr>
<tr>
<td>Liability and compensation – shipwrecks</td>
<td>Wreck Convention</td>
<td>Full policy assessment process</td>
<td>Medium – Recent YM Efficiency incident shows need for liability coverage for wreck removal</td>
</tr>
<tr>
<td>Safety – fishing vessels</td>
<td>STCW-F Convention and Cape Town Agreement</td>
<td>Full policy assessment process</td>
<td>Low – Cape Town is not in force internationally, New Zealand ratified the STCW-F in 2018</td>
</tr>
</tbody>
</table>
Where are we?
How do we get to where we want to go?
Policy Cycle

States/Territories

Socialisation

White Paper

Cabinet

Parliament

Draft legislation

The Budget

National Interest Analysis

Compliance

ANA O

Complaints

Green paper

Industry Views

Community

Program

Legislation

RIS

Consultants

Options

Universities

Issues paper

Parliamentary Committee

The Australian policy cycle
Maintaining the existing Conventions

- MARPOL
- SOLAS
- FAL

- How do we implement changes?
- Minor Vs. major
Sulphur 2020 - update

- *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* – amendments coming
Considering new Treaty action

• What will the impact in Australia be?
• Who will benefit?
• How will they benefit?
Athens Convention (2002) – update

Regulatory Impact Statement – RIS by early 2020
Wreck Removal Convention

1) Should Australia opt-in to the TS choice?
2) Should Australia’s position of unlimited liability under the LLMC change?
Hazardous and Noxious Substances
Convention (2010)

• **Pros**
  Covers persistent and non-persistent oil
  Covers personal injury and death
  Context of HNS – increasingly important?

• **Cons**
  Not in force – though ratification could assist with this
  “another levy?”
Challenges

- Resources
- Domestic policy settings
- Government processes and assessing the impact – consultation, regulatory impact, national interest
- Navigating the Parliament

- *Welcome* engagement from MLAANZ and its members on current and future priorities
Any questions?

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Image Sources

- Slide 4 – supplied by Andrew Johnson
- Slide 6 – Google Images
- Slide 8 – supplied by Andrew Johnson
- Slide 11 - https://commons.wikimedia.org/w/index.php?search=Carnival+Dream+stern&title=Special%3ASearch&go=Go&ns0=1&ns6=1&ns12=1&ns14=1&ns100=1&ns106=1#/media/File:Carnival_Dream_Stern.jpg
- Slide 14 - https://guardian.ng/opinion/the-old-bureaucracy-is-coming-back/
- Slide 15 - https://www.maxpixel.net/static/photo/1x/Sea-Water-Compass-Ship-Clouds-Sunset-Evening-Sun-981597.jpg