



SEACARE AUTHORITY

CODE OF PRACTICE 1/2000

INCORPORATING

THE AUSTRALIAN OFFSHORE SUPPORT VESSEL
CODE OF SAFE WORKING PRACTICE

THE CODE OF SAFE WORKING PRACTICE FOR
AUSTRALIAN SEAFARERS

**Issued by the Seacare Authority on approval by the Minister
for Employment, Workplace Relations and Small Business
pursuant to Section 109 of the *Occupational Health and
Safety (Maritime Industry) Act 1993***

April 2000

CODE OF PRACTICE 1/2000

The Seacare Authority Code of Practice 1/2000 adopts in identical terms *The Australian Offshore Support Vessel Code Of Safe Working Practice* and *The Code Of Safe Working Practice For Australian Seafarers* issued by the Australian Maritime Safety Authority (AMSA) in 1997 and 2000 respectively. The AMSA Codes were issued in the form of Part 59 of Marine Order No 10 of 28 November 1997, with a date of effect of 15 December 1997 and Part 61 of Marine Order No 20 of 3 December 1999, with a date of effect of 3 February 2000.

Code of Practice 1/2000 has been issued to comply with the provisions of Section 109 of the OH&S(MI) Act 1993 for which AMSA performs the Inspectorate function.

The issuing of Code of Practice 1/2000 does not impose any new requirements on employers, operators or other parties, over and above those contained in the existing AMSA Codes.

However, parties to which the OH&S(MI) Act applies should be aware of the provisions of Section 110 of the OH&S(MI) Act. This Section states:

S 110 If, in any proceedings for an offence against this Act or the regulations, it is alleged that a person contravened a provision of this Act or the regulations in relation to which a code of practice was in effect at the time of the alleged contravention:

- (a) the code of practice is admissible in evidence in those proceedings; and
- (b) if the court thinks, in relation to any matter which it is necessary for the prosecution to prove, in order to establish the alleged contravention, that:
 - (i) any provision of the code of practice is relevant to that matter; and
 - (ii) the person failed at any material time to comply with that provision of the code of practice;

that matter is treated as proved unless the court thinks that, in respect of that matter, the person complied with that provision of this Act or the regulations otherwise than by complying with the code of practice.

Inquires about Seacare Authority Code of Practice 1/2000 should be directed to:

Seacare Authority

Phone: 02-62750070
Fax: 02-62750067
E-mail: seacare@comcare.gov.au
Address: GPO Box 9905, Canberra 2601

Australian Maritime Safety Authority (AMSA)

Phone: 02-62795000
Fax: 02-62795950
Address: GPO Box 2181 CANBERRA CITY ACT 2601