

Marine incident reporting requirements in NSW

- Australian Sailing club conference, 7 May 2022
- Vanessa Dudley, NSW Maritime Transport for NSW
- nsw.gov.au

Marine incidents

- **Examples include:**

- When a person is killed or injured on a vessel, falls overboard or is hit by a vessel or its propeller
- When a vessel sinks, capsizes, runs aground or floods, collides with another vessel or object, or has a fire or explosion on board
- When a vessel causes damage to the environment.

- **If you're involved in a marine incident:**

- Stop your vessel and give as much help as possible
- Alert search and rescue services if you need help
- Comply with reporting requirements.

Who must report a marine incident

- **Skippers / Owners**

- Masters (skippers) of vessels – and owners if they are aware of the incident – must provide a report to Transport for NSW if involved in a marine incident.
- *Section 99 of the Maritime Safety Act 1998 and Section 139 of the Marine Safety Regulation 2016*

- **Clubs**

- If the incident involves vessels in a race or regatta, the conducting club must meet the reporting conditions of the Sailing Event Notification System or Aquatic Licence.

When to report an incident

- The skipper of each vessel involved must submit a Vessel Incident Report if:
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- A person is killed or injured*
 - or
 - There is more than \$5000 worth of damage to a vessel or other property
 - or
 - There is damage or a risk of damage to the environment.
- Reportable injuries*:
 - Require more than first aid
 - Require further qualified medical attention – for example, ambulance attending, visit to hospital emergency department or local GP for treatment.

NOTE

- When a marine accident occurs in connection with a vessel, the master of that vessel (and the owner of the vessel if aware of the accident) must send a report to Transport for NSW containing particulars of the accident as soon as practicable by the quickest means available.
- Failure to comply with this requirement is an offence.
- Submission of this form will satisfy your reporting obligations.
- Transport for NSW may contact you for further information to determine whether an investigation into the marine accident is required. If contacted you are obliged to provide details as requested to the best of your knowledge.

To assist in completing this form, please refer to the Explanatory Notes at the end of this document. For further information and assistance telephone 13 12 36 (option 2) (8.30am to 4.30pm) - 7 days a week. Please forward completed form to: Maritime Investigations Unit, NSW Maritime, Locked Bag 5100, CAMPERDOWN, NSW 1450 or email to maritimeincidents@transport.nsw.gov.au

Details of Incident

Date of incident:	Time of incident:	Waterway on which incident occurred:	Incident Severity Rating: <small>(See Explanatory Note 1)</small>
Location on waterway:			

DETAILS OF OPERATOR (MASTER) – VESSEL 1

Surname:	Given names:		
Date of birth: / /	Date of birth: / /	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Residential address:
Suburb:	State:	Postcode:	Private number:
Mobile number:	Email address:		

DETAILS OF OPERATOR (MASTER) – VESSEL 2

Surname:	Given names:		
Date of birth: / /	Date of birth: / /	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Residential address:
Suburb:	State:	Postcode:	Private number:
Mobile number:	Email address:		

QUALIFICATIONS AND EXPERIENCE – VESSEL 1

Boat licence: <small>(See Explanatory Note 2)</small>	Boat licence: <small>(See Explanatory Note 2)</small>
Licence type:	Licence type:
Licence number:	Licence number:
Expiry: / /	Expiry: / /
Other: <small>(Please specify)</small>	Other: <small>(Please specify)</small>
Certificate of Competency: <small>(See Explanatory Note 3)</small>	Certificate of Competency: <small>(See Explanatory Note 3)</small>
Certificate type:	Certificate type:
Certificate number:	Certificate number:
Expiry: / /	Expiry: / /

QUALIFICATIONS AND EXPERIENCE – VESSEL 2

Boat licence: <small>(See Explanatory Note 2)</small>	Boat licence: <small>(See Explanatory Note 2)</small>
Licence type:	Licence type:
Licence number:	Licence number:
Expiry: / /	Expiry: / /
Other: <small>(Please specify)</small>	Other: <small>(Please specify)</small>
Certificate of Competency: <small>(See Explanatory Note 3)</small>	Certificate of Competency: <small>(See Explanatory Note 3)</small>
Certificate type:	Certificate type:
Certificate number:	Certificate number:
Expiry: / /	Expiry: / /

How to report

- Submit a Vessel Incident Report (VIR) to Transport for NSW
- VIR forms are available:
 - Online at <https://vir.connect.rms.nsw.gov.au/>
 - Or download from [service.nsw.gov.au](https://www.service.nsw.gov.au)
 - In print from Service NSW offices and police stations.
- You must submit the report within 24 hours.

Why to report a marine incident

- Make NSW waterways safer for everyone
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- Information gathered during investigations is used by the NSW government to:
 - Develop safety strategies to help prevent death, injury and property damage on the water
 - Maintain the safety and amenity of the marine environment
 - Develop education and compliance programs
 - Guide legislative reform.
 - Not reporting when required is an offence and fines may apply.



Transport for NSW

Boating Handbook



More information

- The Boating Handbook covers the main rules for using NSW waterways. These include:
- Skipper responsibility
- Proper lookout
- Safe speed
- Overtaking
- Vessels with limited manoeuvrability.
- See 'Boating Handbook' at nsw.gov.au