



## Marine Notice 17/2013

### National Maritime Emergency Response Arrangements

#### Purpose

The purpose of this Marine Notice is to advise owners, masters and agents of ships operating in Australian waters of Australia's National Maritime Emergency Response Arrangements (NMEMA), and their responsibilities in regard to reporting and resolving shipping incidents. This MN also serves as a reminder to owners, masters and agents that costs incurred by AMSA in the event of an intervention order due to the slow action of the vessel to connect with an Emergency Towing Vessel will be recovered from the vessel's owners.

#### National Maritime Emergency Response Arrangement

As part of the NMEMA, AMSA enters into contracts for the provision of a minimum level of emergency towing capability around the Australian coastline. This does not alter the existing primary responsibility of the shipowner to enter into commercial arrangements with emergency towing companies to ensure the safety of their vessels.

#### Maritime Emergency Response Commander

The MERCOM is an AMSA officer responsible for coordinating and managing serious maritime incidents and vested with powers under the *Protection of the Sea (Powers of Intervention) Act 1981* (the Powers of Intervention Act).

#### Powers of Intervention

The Powers of Intervention Act gives the MERCOM powers to intervene in a maritime incident in order to protect Australia's maritime interests on the 'High Seas', (when there is grave and imminent danger of pollution), and within the 'Exclusive Economic Zone', (when pollution is occurring, or is likely to occur).

In each situation the MERCOM can issue Directions or take those measures necessary to prevent or reduce the extent of pollution or likely pollution. Intervention Directions can be applied to all ships in all Australian waters, including recreational, fishing and trading vessels.

The Powers of Intervention Act also enables the MERCOM to designate a place or facility as a place of refuge.

#### Emergency Towing

The NMEMA maintains a minimum level of emergency towing capability aimed at protecting the marine environment.

The Australian Government has implemented a three-tiered approach to the provision of emergency towing:

**Level 1** – a dedicated 80 tonne bollard pull emergency towing and response vessel, Pacific Responder, provides emergency towing and first response capability in the northern Great Barrier Reef (north of Mourilyan) and Torres Strait.

**Level 2** – suitable harbour towing vessels have been contracted to be available in the event of a shipping incident.

**Level 3** – suitable 'vessels of opportunity' in the vicinity of a casualty (in port or at sea) can be directed by the MERCOM to provide assistance.

The Level 2 emergency towing capability is available for use by the shipping industry and other parties under ordinary commercial arrangements, consistent with current practice for commercial provision of emergency towing services based on port or other industry availability.

#### Owner and Master Responsibilities

Owners and masters of ships are encouraged to resolve shipping incidents on a commercial basis with a salvage or towing provider. Powers of intervention will be employed by the MERCOM where owners and masters of ships are not taking timely actions consistent with Australia's national interest.

## Reporting Requirements

Owners and masters of ships experiencing difficulties are reminded of their obligation to report incidents and accidents to AMSA at the earliest opportunity to ensure action can be considered and taken to prevent a potential casualty.

In accordance with IMO Resolution A.950(23) 2003 Australia has implemented a maritime assistance service. The nominated Australian point of contact is RCC Australia. (See "Incident Reporting" on AMSA's website at [www.amsa.gov.au](http://www.amsa.gov.au) for details).

Should the shipowner delay taking action, including mobilising an emergency towage vessel, the MERCOT will direct ETVs to provide actual assistance or on a 'stand-by' basis when there is a sufficiently high risk of a pollution incident. The costs of such actions will be recovered from the shipowner.

Further information on the NEMERA is available on the AMSA website at:

[www.amsa.gov.au/Marine\\_Environment\\_Protection/National\\_Maritime\\_Emergency\\_Response\\_Arrangements/](http://www.amsa.gov.au/Marine_Environment_Protection/National_Maritime_Emergency_Response_Arrangements/)

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