



Australian Government

MARD006 Monitor and control compliance with legislative requirements

Release: 1

MARD006 Monitor and control compliance with legislative requirements

Modification History

Release 1. This is the first release of this unit of competency in the MAR Maritime Training Package.

Application

This unit involves the skills and knowledge required to monitor and control compliance with legislative requirements and measures to ensure safety of life at sea, security and the protection of the marine environment.

This unit applies to people working in the maritime industry in the capacity of:

- Engineer Class 1 (STCW Chief Engineer Unlimited)
- Engineer Class 2 (STCW Second Engineer Unlimited)
- Master of a commercial vessel less than 500 gross tonnage (GT)
- Master of a commercial vessel Unlimited.

Licensing/Regulatory Information

Legislative and regulatory requirements are applicable to this unit.

- This unit is one of the requirements to obtain Australian Maritime Safety Authority (AMSA) certification as an Engineer Class 1 (STCW Chief Engineer Unlimited), Engineer Class 2 (STCW Second Engineer Unlimited), Master of a commercial vessel less than 500 gross tonnage (GT) or Master Unlimited and to meet regulatory requirements this unit must be delivered consistent with Marine Orders and with the relevant sections of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW).
- Those regulatory requirements include STCW International Maritime Organization (IMO) model course competencies and areas of knowledge, understanding and proficiency, together with the estimated total hours required for lectures and practical exercises. Teaching staff should note that timings are suggestions only and should be adapted to suit individual groups of trainees depending on their experience, ability, equipment and staff available for training.

Pre-requisite Unit

Not applicable.

Competency Field

D – Administration and Human Resources

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

PERFORMANCE CRITERIA

Elements describe the essential outcomes.

Performance criteria describe the performance needed to demonstrate achievement of the element.

1 Determine legislative obligations and requirements

1.1 Legal obligations in relation to vessel operations are ascertained

1.2 Legislative requirements relating to vessel operations are recognised

1.3 Obligations and legislative requirements are clarified with relevant government and licensing agencies

2 Develop strategies for compliance with legislative obligations and requirements

2.1 Obligations and legislative requirements are analysed to develop compliance strategies

2.2 Strategies are reviewed with relevant stakeholders to determine suitability

2.3 Strategies are used to develop regular, cyclical compliance checks

2.4 Strategies and compliance requirements are communicated to crew members

2.5 Relevant training is conducted to facilitate compliance

3 Undertake scheduled compliance checks

3.1 Compliance checks are delegated to relevant crew members

3.2 Problems that may lead to potential non-compliance are identified and reported

3.3 Timing and outcomes of compliance checks are recorded according to regulatory and organisational requirements

3.4 Information from compliance checks is analysed to identify non-compliance or potential non-compliance

		instances
4	Rectify non-compliance with legislative obligations and requirements	4.1 Course of action to take to address non-compliance instances is determined
		4.2 Timely remedial action is undertaken and legislative obligations and requirements are complied with
		4.3 Training and instruction are conducted to ensure compliance with regulations
		4.4 Checks are made to ensure non-compliance has been addressed
		4.5 Specific area is monitored to ensure continuing compliance
		4.6 Reason for non-compliance is analysed to guide future compliance
5	Maintain required certification of shipboard items and equipment	5.1 Documentation held by the vessel is completed against authorised inventory
		5.2 Continuous validity of certification extensions and requirements for renewals is ensured through timely attention
		5.3 Continuing effectiveness of tests, checks and maintenance programs is reflected in certificate conditions of surveyed items and equipment
		5.4 Organisational and issuing authority requirements are complied with through timely survey arrangements
6	Maintain documentation related to legislative requirements	6.1 Certificates and documentation are stored in a manner that optimises their use and accessibility for vessel operations
		6.2 Clear, concise and accurate records are kept
		6.3 Regulatory and organisational requirements, and format for records are complied with
		6.4 Validity of records is maintained when required corrections to records are made
		6.5 Documentation is secured and confidentiality is

maintained according to organisational procedures

- 6.6** Organisational procedures are followed to back-up computer
- 6.7** Records and reports are distributed to required authorities at appropriate times

Foundation Skills

Foundation skills essential to performance are explicit in the performance criteria of this unit of competency.

Range of Conditions

Range is restricted to essential operating conditions and any other variables essential to the work environment.

Unit Mapping Information

This unit replaces and is equivalent to MARD003 Manage legal requirements of a vessel and MARJ005 Manage compliance with environmental legislation.

Links

Companion Volume implementation guide can be found in VetNet -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=772efb7b-4cce-47fe-9bbd-ee3b1d1eb4c2>

Assessment Requirements for MARD006 Monitor and control compliance with legislative requirements

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Performance Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all of the requirements of the elements and performance criteria on at least one occasion and include:

- applying relevant work health and safety (WHS)/occupational health and safety (OHS) requirements and work practices
- attending to appropriate level of detail in recordkeeping
- developing effective planning documents
- ensuring currency of relevant legislative and regulatory knowledge
- ensuring currency of relevant reference material
- ensuring procedures for monitoring operations and maintenance comply with legislative requirements
- identifying potential non-compliance promptly and fully
- interpreting information relevant to legislative requirements to ensure the security and safety of life of crew, passengers and others at sea
- planning renewal and extension of certificates to ensure continued validity of surveyed items and equipment.

Knowledge Evidence

Evidence required to demonstrate competence in this unit must be relevant to and satisfy all of the requirements of the elements and performance criteria and include knowledge of:

- assistance and salvage, including:
 - Convention on Limitation of Liability for Maritime Claims
 - International Convention on Salvage
 - Lloyds Standard Form of Salvage Agreement
 - Special Compensation P and I Club (SCOPIC)
- classification societies
- general average and marine insurance, including:
 - the York-Antwerp Rules
- international maritime law embodied in international agreements and conventions that impact on the role of management level deck officers, including:
 - Convention on Facilitation of the International Maritime Traffic

- International Convention for the Unification of Certain Rules of Law with Respect to Collision Between Vessels
- Maritime Labour Convention (MLC)
- United Nations Convention on the Law of the Sea (UNCLOS)
- international maritime law embodied in international agreements and conventions in relation to:
 - certificates and other documents to be carried onboard ships by international conventions, how they may be obtained and their period of validity
 - responsibilities under the relevant requirements of the International Convention on Load Lines, 1966, as amended
 - responsibilities under the relevant requirements of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended
 - responsibilities under the International Convention for Prevention of Pollution from Ships (MARPOL), as amended
 - responsibilities under international instruments affecting the safety of the ship, passengers, cargo and crew, including:
 - Casualty Investigation Code
 - charter parties
 - Hamburg Rules maritime legislation
 - International Convention for the Unification of Certain Rules of Law Relating to Bills of Lading
- maritime declarations of health and the requirements of International Health Regulations
- methods and aids to prevent pollution of the maritime environment by ships, including:
 - convention of the prevention of marine pollution by dumping of wastes and other matter
 - International Convention on Civil Liability for Oil Pollution Damage
 - International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties
 - Protocol Relating to Intervention in the High Seas in Cases of Pollution by Substances other than Oil
- marine insurance and liability, including:
 - letter of protest
 - noting and extending protests
- Master and pilot relationship
- national legislation for implementing international agreements and conventions
- port of refuge procedures
- procedures for maintaining security and confidentiality of information
- relevant regulations, codes and conventions related to business and legal requirements, security and safety of life of crew, passengers and others on a vessel, including:
 - Ballast Water Convention
 - port state control (PSC)
- ships agent and agency
- sources of reference and information on detailed survey and certification requirements

- stowaways
- strategies for compliance, including:
 - conducting drills required under SOLAS and relevant Marine Orders applicable to firefighting and lifesaving appliances
 - ensuring survey items are subject to required checks, inspections and maintenance programs
 - maintaining correct documentation and records
 - maintaining valid certification dates
 - using relevant safety management system checklists
- systems and methods for recording, retrieving and storing information
- WHS/OHS requirements and work practices.

Assessment Conditions

Assessors must hold credentials specified within the Standards for Registered Training Organisations current at the time of assessment.

Assessment must satisfy the Principles of Assessment and Rules of Evidence and all regulatory requirements included within the Standards for Registered Training Organisations current at the time of assessment.

Assessment processes and techniques must be appropriate to the language, literacy and numeracy requirements of the work being performed and the needs of the candidate.

Practical assessment must occur in a workplace, or realistic simulated workplace operational situations or an industry-approved marine operations site, under the normal range of workplace conditions.

Simulations and scenarios may be used where situations cannot be provided in the workplace or may occur only rarely, in particular for situations relating to emergency procedures and adverse weather conditions where assessment would be unsafe, impractical or may lead to environmental damage.

Resources for assessment must include access to:

- applicable documentation, such as legislation, regulations, codes of practice, workplace procedures and operational manuals
- tools, equipment, machinery, materials and relevant personal protective equipment (PPE) currently used in industry.

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<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=772efb7b-4cce-47fe-9bbd-ee3b1d1eb4c2>