



Australian Government

MARF047 Monitor compliance with legislative requirements

Release: 2

MARF047 Monitor compliance with legislative requirements

Modification History

Release 2. This is the second release of this unit of competency in the MAR Maritime Training Package.

- Minor statement changes in unit Application.

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 ensure compliance with legislative requirements and measures to ensure safety of life at sea, security and protection of marine environment.

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

- Electro-Technical Officer (STCW Electro-Technical Officer Unlimited)
- Engineer Class 3 Near Coastal
- Engineer Watchkeeper (STCW Engineer Watchkeeper Unlimited)
- Master of a commercial vessel up to 100 metres in length within the exclusive economic zone (EEZ)
- Master of a commercial vessel up to 500 gross tonnage (GT)
- Watchkeeper Deck.

Licensing/Regulatory Information

Legislative and regulatory requirements are applicable to this unit.

- 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.

Near Coastal Qualifications:

- This unit is one of the requirements to obtain Australian Maritime Safety Authority (AMSA) certification as an Engineer Class 3 Near Coastal or Master up to 100 metres Near Coastal as specified in Marine Order 505.

Blue Waters Qualifications:

- This unit is one of the requirements to obtain Australian Maritime Safety Authority (AMSA) certification as an Electro-Technical Officer (STCW Electro-Technical Officer Unlimited), Engineer Watchkeeper (STCW Engineer Watchkeeper Unlimited), Master of a commercial vessel up to 500 gross tonnage (GT) or Watchkeeper Deck 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).

Training providers seeking to offer this unit of competency must gain AMSA approval before the unit is offered.

Seafarers seeking certification should check with AMSA.

Pre-requisite Unit

Not applicable.

Competency Field

F – Operational Quality and Safety

Unit Sector

Not applicable.

Elements and Performance Criteria

ELEMENTS

Elements describe the essential outcomes.

1 Confirm legislative management responsibilities

2 Develop a positive compliance reputation

PERFORMANCE CRITERIA

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

1.1 Legislative and regulatory requirements and approvals that apply to the ship are interpreted

1.2 Own scope of authority/responsibility for achieving specific compliance outcomes for the ship and the roles of other key personnel are clarified

1.3 Resources available to implement management policies and procedures for the ship are identified

2.1 Stakeholders, their relationship to the ship and perceived attitudes about the ship are identified

2.2 Appropriate strategies are used to foster the trust and confidence of stakeholders

2.3 Requests for information are responded to in the appropriate format and a timely manner

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| | 2.4 | Operations and maintenance are monitored to comply with legislative requirements |
| | 2.5 | Requirements for renewal and extension of certifications are identified to ensure continued validity of survey items and equipment |
| | 2.6 | Difficult situations are identified and solutions negotiated using a collaborative approach |
| | 2.7 | Regular feedback is obtained and used to enhance positive relations |
| 3 | Provide management information and training | |
| | 3.1 | Organisational management plans and recent incident reports are used to identify training needs of crew members |
| | 3.2 | Information and training are developed and provided to ensure crew members are aware of their legislative obligations and responsibilities |
| | 3.3 | Crew member compliance obligations and responsibilities for work areas and activities is confirmed |
| | 3.4 | Effectiveness of the information and training is monitored and additional information/training provided, as required |
| 4 | Assess compliance impacts and risks | |
| | 4.1 | Activities are reviewed to identify implications for compliance management |
| | 4.2 | Potential non-compliance is identified and promptly reported in accordance with organisational procedures |
| | 4.3 | Potential risks and incidents that may cause harm to persons or the ship are identified, assessed and control measures implemented |
| | 4.4 | Inspections and in situ measurements are conducted to quantify risks and impacts |
| | 4.5 | Assessment of risks and impacts are reported in accordance with organisational procedures |
| 5 | Ensure monitoring and management plans are implemented | |
| | 5.1 | Compliance monitoring instruments are checked to ensure they are fully functioning |

- 5.2 Specified compliance monitoring and inspections are conducted to check performance against ship operational management requirements
 - 5.3 Additional monitoring/inspections are conducted after atypical events or requests from authorities to assess whether organisational management plan is operating
 - 5.4 Results for monitoring/inspections are analysed to identify significant trends, non-conformance and/or incidents
- 6 **Respond to non-conformance and incidents**
 - 6.1 Unusual situations, unexpected risks/hazards and potential/actual compliance incidents are recognised
 - 6.2 Organisational procedures for responding to non-compliance and incidents are implemented to ensure prompt control and remediation
 - 6.3 Causes of non-compliance and incidents are investigated in accordance with organisational procedures
 - 6.4 Findings are analysed to identify opportunities to improve work practices, compliance controls, crew training and/or management procedures
 - 6.5 Corrective/preventative actions are implemented to prevent recurrence of non-compliance and incidents, and to reduce risks
 - 6.6 Reports are completed in accordance with organisational procedures
- 7 **Maintain compliance records**
 - 7.1 Required records are prepared and maintained in accordance with regulatory and organisational requirements
 - 7.2 Regular reports about operational performance are provided
 - 7.3 Opportunities and recommendations for improvements are reported
 - 7.4 Advice is sought when challenges are beyond own scope of technical competence or when input from specialist may be required
 - 7.5 Records are stored to enable easy access and review by

authorised personnel in accordance with regulatory and organisational requirements

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 is a new unit. No equivalent unit.

Links

Companion Volume Implementation Guides are found in VETNet -
<https://vetnet.gov.au/Pages/TrainingDocs.aspx?q=772efb7b-4cce-47fe-9bbd-ee3b1d1eb4c2>

Assessment Requirements for MARF047 Monitor compliance with legislative requirements

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Performance Evidence

- accessing, interpreting and applying regulatory requirements
- applying organisational procedures for monitoring ship operations and ensuring compliance with legislative requirements
- completing reports, including:
 - hazard near miss report form
 - monthly compliance report
 - non-conformance report form
 - regulatory agency reports
 - ship incident investigation report
 - waste disposal logbooks
 - weekly compliance report
- explaining management concepts, principles and procedures clearly
- maintaining accurate compliance records
- maintaining actions to ensure a positive compliance reputation
- monitoring the implementation of organisational management plans, policies and procedures, and specified work methods
- preparing records, including:
 - compliance monitoring data
 - contractor and supplier information
 - digital photographs
 - records of monitoring equipment purchase, calibration, inspection, maintenance and service
 - records of non-conformance, incidents or significant impacts
 - records of training
 - records required by permit, approval or licence conditions
- regularly inspecting ship for compliance risks and impacts
- responding to complaints and requests for information from authorities and authorised

personnel.

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:

- certificates and other documents required to be carried onboard ships by international conventions, including:
 - how they may be obtained
 - the period of their legal validity
- compliance protection/management terminology, concepts and principles
- importance of proactive measures to protect the marine environment
- introduction to maritime law
- Law of the Sea
- legislative/regulatory requirements, approvals and responsibilities relevant to the ship requirements, including:
 - Athens Convention relating to the Carriage of Passengers and their Luggage by Sea
 - Code of Safe Working Practices for Merchant Seamen
 - guidelines on the Enhanced Programme of inspections during surveys of the bulk carriers and oil tankers
 - industry standards
 - International Convention for the Prevention of Pollution from Ships (MARPOL) and International Maritime Organisation (IMO) circulars
 - International Convention for the Control and Management of Ships Ballast Water and Sediments
 - International Convention for the Safety of Life at Sea (SOLAS), including:
 - carriage of dangerous goods
 - carriage of grain
 - fire protection, fire detection and fire extinction
 - general provisions
 - lifesaving appliances and arrangements
 - radio communications
 - subdivision and stability, machinery and electrical installation
 - International Convention on Load Lines
 - International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)
 - International Convention on the Control of Harmful Anti-Fouling Systems on Ships
 - International Convention on Tonnage Measurement of Ships
 - International Safety Management (ISM) Code
 - International Ship and Port Facility Security (ISPS) Code

- legislation and regulations, including implementing international agreements and conventions
- Marine Orders
- maritime declarations of health and the requirements of the International Health Regulations
- methods and aids to prevent pollution of the environment by ships
- responsibilities under international instruments affecting the safety of ships, passengers, crew or cargo
- Special Trade Passenger Ships Agreement
- management and training information, including:
 - due diligence and duty to notify
 - incident management and reporting
 - introduction to ship, environmental considerations and sources of compliance information
 - legislative requirements
 - licensing/compliance requirements
 - management actions and checklists, and methods/procedures for specific activities
 - organisational compliance management policy
- organisational management plans, procedures, control measures and management actions for ship
- organisational procedures for:
 - identifying and assessing compliance risks and impacts
 - managing stakeholder relations
 - monitoring operations and maintenance to comply with legislative requirements
 - record management and reporting
 - responding to complaints and other incidents
- potential risks and incidents, including:
 - ballast water discharge
 - disposal of waste material, including sewage and garbage
 - over-side maintenance work
 - spill or release of hazardous chemicals/materials
- precautions to be taken to prevent pollution of the marine environment
- renewal and extension of certifications requirements, including continued validity of survey items and equipment
- stakeholders, including:
 - cargo owners
 - government officials
 - port authorities
- ship characteristics and compliance issues, risks and impacts
- work health and safety (WHS)/occupational health and safety (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, 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.

Links

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