



Australian Government

MARM001 Apply knowledge of safety management system legal framework in the workplace

Release: 1

MARM001 Apply knowledge of safety management system legal framework in the workplace

Modification History

Release 1. New unit of competency.

Application

This unit involves the skills and knowledge required to apply an understanding of the safety management system (SMS) legal framework in a maritime workplace. It provides an understanding of obligations on all seafarers to ensure that SMSs for vessel and crew safety are in place and comply with maritime legislation.

It includes accessing relevant legislation and contributing to any actions to ensure compliance with and an understanding of, SMSs is achieved by seafarers, crew and other applicable maritime personnel.

This unit applies to people who assist marine surveyors or who undertake administration duties in the maritime industry and/or marine surveying sector.

No licensing, legislative or certification requirements apply to this unit at the time of publication.

Pre-requisite Unit

Not applicable.

Competency Field

M – Marine Surveying

Unit Sector

Not applicable.

Elements and Performance Criteria

Elements describe the essential outcomes.

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

1 Identify and interpret safety management system legal framework

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|-----|---|
| 1.1 | Current SMS, relevant legislation, standards, and workplace policies and procedures impacting on the maritime industry are identified and accessed |
| 1.2 | Relationship between SMS, relevant legislation, standards, and workplace policies and procedures is accurately interpreted to assist in identifying requirements for a range of |

		different commercial vessel operations
	1.3	SMS documentation requirements for a commercial vessel operation are identified
	1.4	Master and crew member legal obligations and duties for training employees are identified
	1.5	Consequences of non-compliance with SMS, relevant legislation, standards, and workplace policies and procedures are clarified
2	Contribute to activity that reflects safety management system legal framework	
	2.1	Contributions are made to monitoring compliance with SMS, relevant legislation, standards and workplace policies and procedures for size and nature of operation
	2.2	Contributions are made to ensuring all work carried out on board vessel is undertaken in a safe manner according to SMS and relevant legislation, standards, and workplace policies and procedures
	2.3	Non-compliance with SMS, relevant legislation, standards, workplace policies and procedures is identified and appropriate action is taken
	2.4	Limits of own expertise and legal responsibilities are recognised, and appropriate sources of expertise are accessed as required
3	Maintain up-to-date knowledge of safety management system legal framework and maritime industry requirements for commercial vessels	
	3.1	Sources to access current information covering applicable legislation and guidelines relating to SMS are utilised
	3.2	Knowledge of SMS, relevant legislation, standards, and workplace policies and procedures is regularly updated
	3.3	Relevant information on SMS and SMS requirements is provided to seafarers and crew either on board a vessel or through general enquiry services

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.

Safety management system includes one or more of the following:

- documents related to safety training for crew
- emergency systems
- fire procedures
- manufacturer guidelines for equipment
- safety manuals, signs and equipment
- standing orders
- workplace safety and emergency procedures

Relevant legislation includes one or more of the following:

- Marine Safety (Domestic Commercial Vessel) National Law
- National Standard for Commercial Vessels (NSCV), particularly Part E as it applies in a given situation
- other legislation relevant to commercial vessels for operational systems
- relevant commonwealth and state/territory work health and safety/occupational health and safety (WHS/OHS) Acts, regulations and codes of practice relating to:
 - common law
 - contract law
 - criminal law
 - dangerous goods
 - environmental protection
 - equal opportunity and anti-discrimination law
 - industrial relations law
 - workers' compensation

Standards include one or more of the following:

- Australian Standards
- guidance notes and instructions to surveyors issued by the Australian Maritime Safety Authority (AMSA)
- industry standards and codes of practice
- international standards
- national standards developed by the national maritime regulator
- other regulations and standards developed by WHS/OHS regulators

Non-compliance includes one or more of the following:

- inadequate systems of information, instruction training or supervision
- non-compliance with NSCV Part E requirements
- plant equipment or substances not maintained or used or stored in an unsafe condition
- poor consultative practices
- poor design

Appropriate actions include one or more of the following:	• workplace hazards not identified or controlled • workplace systems not in place or inadequate • contributing to the identification of noncompliance with safety management requirements for size and nature of operation • making recommendations about how compliance with SMS requirements could be achieved • participating and assisting marine surveyors and other maritime regulatory inspectors • participating in an SMS audit • participating in an SMS inspection • providing information on appropriate methods of implementing, monitoring and evaluating actions to ensure SMS compliance • reporting breaches of compliance to responsible persons or authorities • where required, making notes or drafting reports related to compliance levels with SMS requirements
Sources include one or more of the following:	• audits • Australian and international standards • hazard, incident and investigation reports • industry bodies • manufacturer manuals and specifications • regulators • regulatory authorities • SMS specialists • training, information sessions and forums • unions • websites, journals and newsletters • WHS/OHS professional bodies

Unit Mapping Information

This unit replaces and is equivalent to MARM3001A Apply knowledge of safety management system legal framework in the workplace.

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 MARM001 Apply knowledge of safety management system legal framework in the workplace

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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, performance criteria and range of conditions on at least one occasion and include:

- applying relevant work health and safety/occupational health and safety (WHS/OHS) requirements and work practices
- communicating effectively when contributing to formal and informal enquiries about safety management systems (SMSs)
- ensuring currency of relevant legislative and regulatory knowledge
- preparing simple documents such as summary reports, audit reports and memos for a range of personnel including surveyors, managers, supervisors and seafarers.

Knowledge Evidence

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

- obligations, rights and requirements of seafarers to understand and comply with relevant safety management legislation and common law as it applies to those involved in any safety training or setting up of and applying appropriate SMS
- relevant state/territory and commonwealth WHS/OHS legislation, regulations, codes of practice and standards
- research and data collection methods to obtain evidence of compliance with both SMS and WHS/OHS legislation
- WHS/OHS requirements and safe work practices

Assessment Conditions

Assessors must satisfy National Vocational Education and Training Regulator (NVR)/Australian Quality Training Framework (AQTF) assessor requirements.

Assessment must satisfy the National Vocational Education and Training Regulator (NVR)/Australian Quality Training Framework (AQTF) standards.

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.

Assessment must occur in workplace operational situations or where these are not available, in simulated workplace operational situations or an industry-approved marine operations site that replicates workplace conditions where knowledge of SMS legal framework in the workplace can be applied.

Resources for assessment include access to:

- relevant regulatory and equipment documentation, including workplace procedures, regulations, codes of practice and operation manuals that impact on work activities
- tools, equipment and personal protective equipment currently used in industry.

Performance should be demonstrated consistently over time and in a suitable range of contexts.

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