



# FACT SHEET

## PARENT–TENDER VESSEL OPERATIONS (also known as ‘dory operations’)

### Domestic Commercial Vessels

#### Who should read this fact sheet?

- Owners of tenders and parent vessels
- Designated person — shore support
- Masters who operate tenders and parent vessels
- Crew on tender and parent vessels
- Accredited marine surveyors.

#### What is a parent–tender vessel operation?

Parent–tender vessel operations use a parent vessel to transport tenders to a given location, where they are dispatched to carry out activities independently of the parent vessel. Examples include tenders to Class 2 (non-passenger vessels) and Class 3 (fishing) vessels operating in B or C designated waters. These operations are commonly referred to as ‘dory operations’.

A tender is defined under Part B of the National Standard for Commercial Vessels (NSCV), as a vessel that:

1. is used:
  - (i) to transport goods or up to 12 people; or
  - (ii) for a purpose associated with its parent vessel’s operation; and
2. is not powered by a petrol below deck engine; and
3. operates:
  - (i) in line of sight of its parent vessel or another distance approved in writing by the National Regulator; or
  - (ii) in a marina or a mooring area; and
4. is <7.5m long or another length approved in writing by the National Regulator; and
5. if it has a parent vessel – is no longer than the parent vessel.

Parent–tender vessel operations can be particularly dangerous due to a number of factors. These factors often include:

- an inability to contact the parent vessel when an incident occurs involving a sole operator
- lack of safety equipment
- lack of general communications ability
- lack of emergency procedures
- the use of old, or heavily modified vessels with compromised stability.

#### What are some common hazards and risks in parent–tender vessel operations?

The table on page 2 outlines some common hazards in parent–tender vessel operations, the associated risks and possible ways of controlling those risks. However, you must address the specific hazards and risks in your operation, which may include additional or different hazards to those in the table below.

It is a good idea to involve the vessel’s master and crew in the process of identifying hazards and risks in the operation, as this encourages everyone to think about their role in ensuring the safety of the vessel and persons on board the vessel.

#### An example of what can go wrong

On 26 July 2013, a dory operator had stopped coral trout fishing from his dory and was attempting to retrieve the anchor, which was stuck in the reef.

He used the power of the outboard and a shortened anchor line to try to dislodge the anchor but in the process, the dory capsized. He fell into the sea, wearing wet weather gear and his legs became ensnared in his fishing line and he drowned.

Analysis of the circumstances leading to the incident indicated that a lack of safety measures, such as having an appropriate safety management system and a communication channel between the tender and the parent vessel, contributed to the circumstances leading to his death.

# FACT SHEET

Hazards	Associated risks	Possible risk controls
<b>Isolation of the tenders from the parent vessel</b> <i>The tender vessel may stray from the designated fishing area and the parent vessel could lose track of the tender's location.</i>	<ul style="list-style-type: none"> <li>• Loss of life</li> <li>• Loss of assets</li> <li>• Injury</li> <li>• Illness</li> <li>• Exposure</li> <li>• Search and rescue activation</li> </ul>	<p>VHF marine radios will support an operation by establishing a two-way communication between parent and tender vessel. Vessel protocols need to be established when using VHF marine radio.</p> <p>Using a parent vessel's radar system to continually locate and monitor tender vessel positions will increase safety outcomes, particularly if a radar reflector is fitted.</p> <p>Using an Automatic Identification System (AIS) will allow parent vessels to track their tenders and give precise locations.</p> <p>A vessel's SMS should consider situational reports at scheduled times between parent and tender vessels.</p> <p>A vessel's SMS should consider implementing a system that allows the tender operators to return at scheduled times to either replenish inventories or just simply to check in.</p> <p>Tender operators should be sufficiently trained to deal with emergency situations.</p>
<b>Isolation of tender operator when operating tender single-handedly</b> <i>If medical attention is required they may not be in a condition to alert the parent vessel. If able to alert the parent vessel they may have to wait to receive medical assistance.</i>	<ul style="list-style-type: none"> <li>• Loss of life</li> <li>• Loss of assets</li> <li>• Injury</li> <li>• Illness</li> <li>• Exposure</li> <li>• Search and rescue activation</li> </ul>	<p>The master of the parent-vessel must conduct a risk assessment based on the risks of single-person operations. A solution may be to operate in a buddy system with another tender.</p> <p>A parent vessel must have appropriate emergency procedures in place to sufficiently manage a situation.</p> <p>Equip each tender with a first aid kit and appropriate emergency equipment. Operators should have first aid training.</p>
<b>Weather and conditions</b>	<ul style="list-style-type: none"> <li>• Vessel damaged, or destroyed</li> <li>• Man overboard</li> <li>• Loss of life</li> <li>• Loss of assets</li> <li>• Injury</li> <li>• Illness</li> <li>• Exposure</li> <li>• Search and rescue activation</li> </ul>	<p>An SMS should set out safe operating procedures for all weather conditions taking into account wind strength, wave height and tides.</p> <p>Tenders should be equipped with navigation equipment and depth sounders to ensure safe operations.</p> <p>Personal Floatation Devices (PFDs) and Personal Locator Beacons (PLBs) are essential safety equipment.</p> <p>Operating in a buddy system reduces the risk of loss of life.</p>

## How prepared are you?

### 1. Do you have an SMS that adequately assesses and addresses the risks of your operation?

When writing and updating your SMS you must do a risk assessment which identifies, for example:

- daily tasks performed by all crew members
- potential risks involved in each task
- the appropriate crew for the vessel
- a designated person who is responsible for identifying and controlling potential risks, which include the state of the vessel, crew fatigue, alcohol consumption by crew, engine break down, and fuel loss.

Your SMS must state how you will control the risks identified.

### 2. How have you inducted your tender boat crews to ensure they understand and can comply with the SMS?

Inductions are required on both the parent and tender vessel, including training to ensure any crew member has a sufficient level of competency to operate safely.

### 3. How do you know the tenders' locations at all times?

As the master of a parent vessel it is **your responsibility** to make sure that you can locate your tenders at all times. You should use radar and Automatic Identification System (AIS) for monitoring purposes and VHF radios for continuous communications.

### 4. In an emergency does everyone know how to respond?

Your SMS must include information on how you and your crew will respond in an emergency.

## What are my legal obligations?

### Certificate of operation and certificate of survey

Tender vessels are exempt from the requirement to have a Certificate of Operation (CoO) on the conditions that the tender:

- is listed on the parent vessel's CoO or safety management system (SMS)
- has its operational risks addressed either in the parent vessel's or tender's SMS
- meets the operating requirements mentioned in subclauses 6(1) to (6) and subclause 6(8) of Schedule 2 of NSCV Part E
- meets the minimum crewing requirements for the operations.

Similarly, tender vessels are exempt from the requirement to have a Certificate of Survey (CoS) on the condition that the tender:

- is inspected with the parent vessel whenever the parent vessel is surveyed (if the parent vessel is in survey)
- complies with NSCV Part G (general safety requirements for vessels).

Parent vessels must have a unique identifier, unless subject to an exemption from that requirement. The tender vessel can either display the parent vessel's unique identifier with the letter 'T' or a separate unique identifier.

### General safety duties and safety management systems

All operators of tenders (including owners and masters) must comply with the general safety duties under the National Law. The *General safety duties* fact sheet outlines what duties apply to each person involved in domestic commercial operations.

Each vessel must have a SMS in place, which covers the operation. If the vessel is a tender, it can also be included in the SMS for the parent vessel.

Your SMS is the way you proactively identify and manage risks and develop a culture of safety amongst your crew.

It is the master's responsibility to implement and comply with the SMS. An SMS will differ between different vessel operations. However, at a minimum, the SMS for your parent-tender operation should:

- provide for appropriate communications between the tender and the parent vessel, and
- provide for appropriate safety equipment to be carried, for example:
  - PFDs
  - Flares

- Emergency communications
- Emergency position indicating radio beacons (EPIRBs)/PLBs. If two-way communications are not available, then a distress beacon should be activated in situations of grave and imminent danger. This equates to when you feel you are facing a life threatening situation. This is a personal decision that is different for everybody.

The Safety Management Systems Guidance Notice outlines what an SMS is and what it should contain. A number of sample SMSs are also available on the AMSA website.

## How do I do a risk assessment for my parent-tender operation?

The owner must conduct a risk management process on the entire operation, including the operation of the tenders.

Tenders will be subject to very different hazards and risks from the parent vessel and these need to be documented and controlled. By following a basic four-step process, an owner (with the assistance from the crew) can easily conduct a risk management process.



Once an owner has identified all foreseeable hazards and risks in an operation it's important to give these risks a rating so you can implement appropriate controls. You can use a 'likelihood and consequence matrix' like the one below, to assist you.

### Likelihood and consequence matrix

Ref. ISO 31000	Consequence				
Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Moderate	High	Extreme	Extreme	Extreme
Likely	Moderate	High	High	Extreme	Extreme
Possible	Low	Moderate	High	Extreme	Extreme
Unlikely	Low	Low	Moderate	High	Extreme
Rare	Low	Low	Moderate	Moderate	High

## How do I control the risks in my operation?

When you have assessed each risk to determine its likelihood and level of impact, you then need to eliminate or reduce the risk as much as possible.

Some effective ways of controlling risk include:

- ensuring tenders are safe to operate and equipped with sufficient safety equipment
- developing standard operating procedures
- ensuring crew are competent to operate the tender and have been provided with adequate information, training and instruction
- developing emergency response plans
- reporting incidents when they occur
- using appropriate safety equipment and communication equipment
- regular inspection and maintenance of the vessel, its machinery and equipment
- using personal protective equipment such as lifejackets and Personal Locator Beacons (PLB).

## What happens if I don't comply with my legal obligations?

AMSA is focusing on improving the safety of parent-tender vessel operations throughout Australia, particularly by collaborating with operators to help them understand SMS requirements and to make sure that their SMS is appropriate for the risks and hazards of their operation.

AMSA also regularly carries out compliance and enforcement operations around Australia to identify and address unsafe operations. Some of the compliance and enforcement options that AMSA may utilise include issuing:

**Improvement notices** — requiring a person to fix a deficiency by a certain time.

**Direction notices** — requiring a person to take certain steps within a given timeframe.

**Prohibition notice** — preventing a person from conducting an activity until the risk that has been identified has been removed.

**Detention notices** — detaining a vessel.

In some cases, Marine Safety Inspectors (MSIs) may recommend that AMSA take stronger action, including:

**Suspension or revocation of certificates** — preventing a person from being able to work, or a vessel from operating, either temporarily or permanently.

**Infringement notices** — where a person has committed an offence or breach under the National Law, an infringement notice may be issued and paid as an alternative to prosecution.

**Criminal prosecution** — the Commonwealth has the power to prosecute breaches of the law, and will particularly consider this option in relation to continuing non-compliant behavior or when non-compliance gives rise to extreme risk.

The infringement penalty amount is \$2160 for an individual and \$10,800 for a body corporate. The maximum penalty that can be awarded by a court is two years imprisonment or \$324,000 (or both) for an individual and five times that penalty for a body corporate.

## How can I get more information?

- Call **AMSA Connect 02 6279 5000**
- Speak to your local AMSA Liaison Officer (call AMSA Connect to be forwarded to your local officer)
- Visit your local marine safety agency

For the latest news about parent-tender vessel operations, subscribe to *Domestic Vessels e-News* and *Working Boats* magazine at: [www.amsa.gov.au/domestic](http://www.amsa.gov.au/domestic)

### The specific requirements regarding tender vessels are contained in:

- **Part B of the National Standard for Commercial Vessels — Definition of 'tender'**
- **Part 3 of the Schedule 1 of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (general safety duties)**
- **EX01 – Marine Safety (Vessel identifiers) Exemption 2016**
- **EX02 – Marine Safety (Certificates of survey) Exemption 2016**
- **EX03 – Marine Safety (Certificates of operation) Exemption 2016**