

National Standard for Commercial Vessels part C subsection 7A Safety Equipment — equivalent solutions applications

The National Marine Safety Committee is preparing a National Marine Guidance Manual — Guidelines for assessing equivalent solutions under the National Standard for Commercial Vessels. This bulletin will be reviewed when the National Marine Safety Committee document is published.

Equivalent solutions

Under the National Standard for Commercial Vessels, part B and part C, subsection 7A Safety Equipment, Maritime Safety Queensland may approve an application for an equivalent solution to a deemed-to-satisfy solution for the safety equipment standard.

In deciding whether or not to approve an equivalent solution, Maritime Safety Queensland must consider all relevant matters including whether the proposed equivalent solution:

- is at least equivalent to the deemed-to-satisfy solution
- complies with the required outcomes of the standard.

An equivalent solution may be approved only if Maritime Safety Queensland is satisfied giving it will not adversely affect marine safety or the effectiveness and efficiency of the Queensland maritime industry.

An equivalent solution may be approved under certain conditions. The equivalent solution operates only if the conditions are complied with.

Separate to individual applications, Maritime Safety Queensland may also propose an equivalent solution for specific classes or groups of ships operating under specific conditions. In that case Maritime Safety Queensland will proceed with appropriate assessments and if appropriate will approve the equivalent solution for those specific situations.

When an equivalent solution is approved under these circumstances, known stakeholders will

be advised and asked to supply pertinent information to enable the equivalent solution to be noted on the registration certificate of their ship if they wish to take advantage of the particular equivalent solution.

As soon as is practicable after approving an equivalent solution, Maritime Safety Queensland will provide details of it on the ship's certificate of registration and state the following:

- equipment the ship must carry under the equivalent solution
- equipment the ship does not need to carry under the deemed-to-satisfy solution
- any conditions on which the approval for equivalent solution is given
- any other details Maritime Safety Queensland considers relevant.

An equivalent solution applies as if it were a deemed-to-satisfy solution.

Your application

An application for an equivalent solution for a deemed-to-satisfy solution required under the safety equipment standard should be addressed to the regional harbour master at your local Maritime Safety Queensland regional office:

- for a new registration — noted on the Commercial/Fishing Ship Registration Application form (form F2721)
- for a currently registered ship — on the form Change/Cancellation of Commercial/Fishing Ship Registration Particulars (form F3157).

The application should:

- state the deemed-to-satisfy solution you want an equivalent solution for, for example, for

- the deemed-to-satisfy solution requiring coastal lifejackets for 100% complement
- state why you want an equivalent solution
 - state what action, that is, the equivalent solution, you propose to take in lieu of the deemed-to-satisfy solution, for example, to carry buoyant appliances for 100% complement
 - show any conditions you propose be placed on your operation while operating with the equipment proposed as an equivalent solution. Maritime Safety Queensland may impose conditions related to your operations while operating with the equipment proposed as an equivalent solution
 - show a copy of any risk assessment related to your proposal.

You must include copies or descriptions of safety management systems used in your operation.

You must provide information that will assist Maritime Safety Queensland in assessing your application, in particular information that shows that under the proposal the equivalent solution:

- is at least equivalent to the deemed-to-satisfy solution
- complies with the required outcomes of the standard.

You must show that approving the proposed equivalent solution will not adversely affect marine safety or the effectiveness and efficiency of the Queensland maritime industry.

Those operators who wish to take advantage of an equivalent solution that has been approved for certain classes of ships and operations should advise their local Maritime Safety Queensland regional office and supply those details of their ship and operation pertinent to the particular equivalent solution. Certificates of registration will be amended to reflect the approval and use of the equivalent solution.

Assessment

Your application will be assessed against the criteria mentioned above.

During the assessment process you may be consulted about your application, for instance, about proposed variations to the equivalent solution you originally requested or about conditions proposed for the equivalent solution.

You will be advised if your application has been successful or not.

For a successful application the approved equivalent solution will be described on the ship's certificate of registration.

An equivalent solution has no standing other than as described on a ship's certificate of registration.

Existing 18A exemptions

Existing 18A exemptions for safety equipment will continue to have effect.

Safety Standards Branch will record details of existing 18A exemptions on a ship's registration certificate at next renewal, or by agreement with the owner.

An owner who perceives an advantage in an equivalent solution over an 18A exemption may approach Safety Standards Branch for an assessment of their current exemption and conditions with a view to approval as an equivalent solution.

Information

For further information about this Marine Information Bulletin, contact msgmail@msg.qld.gov.au.

Other Marine Information Bulletins covering various topics relating to the safe operation of ships can be obtained from Maritime Safety Queensland's website at www.msg.qld.gov.au and from the following Maritime Safety Queensland regional offices.

Airlie Beach	(07) 4946 2200
Bundaberg	(07) 4131 8500
Cairns	(07) 4052 7400
Gladstone	(07) 4973 1200
Hervey Bay	(07) 4194 9600
Mackay	(07) 4944 3700
Mooloolaba	(07) 5477 8425
Pinkenba	(07) 3860 3500
Southport	(07) 5539 7300
Townsville	(07) 4726 3400

Guideline for processing applications for NSCV C 7A equivalent solutions

NSCV C 7A EQUIVALENT SOLUTION APPLICATION

Applicant / owner details ¹			
Name	Address	Email	Phone no/s

Ship details						
Name	No of persons	Length	File number	Rego number	Class	

Type of equivalent solution (see NSCV C B 2.7.2) ²	
Application for a generic equivalent solution (solution will operate Australia wide)	
Equivalent solution has been decided – supply registration and operation details only	
Equivalent solution is new application – supply full proposal details	
Application for a local equivalent solution (solution will operate in Queensland only)	
Equivalent solution has been decided – supply registration and operation details	
Equivalent solution is new application – supply full proposal details	

Relevant requirement under NSCV C 7A (deemed-to-satisfy solution – will be recorded on certificate of registration)			
Item no	NSCV C 7A clause	Item	
1			
2			
3			
4			

Proposed alternative (equivalent solution – will be recorded on certificate of registration)		
Item no		
1		
2		
3		
4		

Conditions proposed (conditions of equivalent solution will be recorded on certificate of registration)		
Item no		
1		
2		
3		
4		

Guideline for processing applications for NSCV C 7A equivalent solutions

Provide information to illustrate whether the proposed equivalent solution: (address one or both of the following)	
– is at least equivalent to the deemed-to-satisfy solution	
– complies with the required outcomes of the standard	

Evidence provided in support of the application	
Method or methods of assessment applied	
Calculation	
Trial or Test	
Risk Assessment/Management	
Expert Opinion	
Other	
–	
–	
Supporting Documents Attached	
Record of calculations	
Record of trial or test	
Formal Risk Assessment and Management	
Ship/company Safety Management Plan, operational and emergency response procedures	
Certificate/s of Compliance	
Other	
–	
–	

Guideline for processing applications for NSCV C 7A equivalent solutions

Note: 1

- a) *for a new registration – attach this form to a Commercial/Fishing Ship Registration Application form (Form F2721)*
- b) *for an existing registration – attach this form to a Change/Cancellation of Commercial/Fishing Ship Registration Particulars (Form F3157)*
- c) *if no information is provided for a particular section then mark “not applicable”*
- d) *if space is limited list items on a separate sheet and attach*
- e) *Maritime Safety Queensland will assess each application on its merits and the level of information required in support of each application will be determined by the nature of the application itself.*

Note: 2

- a) *equivalent solutions are addressed in NSCV B General requirements 2.7.2*
- b) *equivalent solutions for safety equipment are addressed in NSCV C 7A Safety equipment*
- c) *equivalent solution has been decided – Equivalent solutions that have been assessed and approved may be available for certain operations and/or equipment. An application to be considered for one of these equivalent solutions should supply registration and operational details to show qualification to use the solution.*