

Marine Information Bulletin

Definition of a 'barge'

Issued October 2007, last reviewed December 2009

Purpose

This bulletin is raised to define the term "barge" as used in the *Transport Operations (Marine Safety) Act 1994* and the *Transport Operations (Marine Safety) Regulation 2004*.

Background

The *Transport Operations (Marine Safety) Act 1994* provides that a ship may include a barge. The *Transport Operations (Marine Safety) Regulation 2004* states that an unpowered, commercial ship or one powered by an engine of less than 3kW is exempt from registration unless it is a barge or composite ship. However, an unpowered barge or composite ship or one powered by an engine of less than 3kW that is less than 15 metres is exempt from registration under certain conditions.

The *Transport Operations (Marine Safety) Regulation 2004* defines a composite ship as "a ship made up of a number of ships welded, bolted or otherwise rigidly connected together". However, the *Transport Operations (Marine Safety) Act 1994* and *Transport Operations (Marine Safety) Regulation 2004* does not provide a definition of the term "barge". The *Acts Interpretation Act 1954 (Qld)* states that if the meaning of a term is unclear in an Act, the term should be given its "ordinary meaning".

Ordinary Meaning

As the definition of barge is not outlined in the legislation and the courts have not defined it, Maritime Safety Queensland will apply the ordinary definition of a barge.

Traditionally, barges are flat-bottomed displacement ships used for carrying or storing cargo or as a work platform.

The *Transport Operations (Marine Safety) Regulation 2004* also treats pontoons as a type of barge.

Registration

All ships operating commercially in Queensland waters should be registered, unless they fall under one of the exemptions. A barge that is 15 metres or more in length is required to be registered, however a

barge less than 15 metres may not be required to be registered.

If a barge or composite ship conforms to all of the following criteria they do not have to be commercially registered:

- is less than 15 metres;
- not powered or have an engine smaller than 3kW;
- not used for carrying people;
- not used for carrying bulk petroleum or gas products;
- not used for accommodation or entertainment;
- not used for operating a pile frame;
- not equipped with a crane which has a safe working load of more than 3t;
- not equipped with dredging machinery having a total brake power of 500kW or more.

Note that barges which do not conform to all the criteria listed above are required to be commercially registered.

Information

For further information about this Marine Information Bulletin, email 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 www.msg.qld.gov.au and from the following Maritime Safety Queensland regional offices:

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Bundaberg	(07) 4131 8500
Cairns	(07) 4052 7400
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Hervey Bay	(07) 4194 9600
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