

## Marine Information Bulletin

### Boat-share policy

Issued 2 December 2008, last reviewed 3 December 2009

#### Purpose

This bulletin is to advise the boat-share scheme industry and the public that Maritime Safety Queensland has released a boat-share policy for the purpose of informing the public about the application of marine safety legislation to boat-share ships.

The government's approved boat-share policy came into effect on 1 January 2009 which identifies how the *Transport Operations (Marine Safety) Act 1994* and *Transport Operations (Marine Safety) Regulation 2004* apply to boat-share ships.

From 1 January 2009, a number of recreationally registered boat-share ships will be required to obtain commercial registration to ensure they comply with marine safety legislation and government policy that clarifies how the law applies to these ships. Operators are being urged by Maritime Safety Queensland to make sure their vessels are properly registered.

This is not about introducing new or changed legislation rather it is about clarifying the application of the existing legislation to these schemes.

#### Background

Boating is a popular pastime for many Queenslanders, and the number of new boat owners continues to grow. Shared ownership or use through boat-share schemes have become increasingly popular due to reduced costs associated with sharing a boat.

A number of companies have emerged offering a range of often complex boat-share scheme arrangements. Unfortunately this sometimes involves incorrectly registering ships which are generally commercial in nature as recreational ships to avoid having to comply with stringent commercial registration and licensing standards.

Maritime Safety Queensland's concern is the safety of boat-share scheme members and members of the public on the water. These concerns relate to

the frequent usage of ships not subject to standardised construction and design requirements, inadequate carriage of safety equipment and ships operated by inexperienced masters.

The boat-share policy allows for some exemptions in respect to registration, safety equipment and licensing requirements subject to specific conditions to minimise any impact on the boating industry.

#### Key Dates

All commercial boat-share scheme ships will require commercial registration from 1 January 2009.

However, any existing ship used in a commercial boat-share scheme or one for which construction started prior to 1 January 2009, may be granted an exemption from providing certificates of compliance to support registration of the ship. Exemptions may also be granted for all commercial boat-share ships (subject to conditions) regarding licensing and safety equipment requirements.

The exemption period for commercial registration requirements (certificates of compliance) will expire on 1 January 2012. The safety equipment and licensing exemptions are for the life of the ship while part of a commercial boat-share scheme. However, licensing exemptions for providers/employees will expire on 31 December 2009.

If an exemption notification has not been issued by Maritime Safety Queensland, full commercial compliance is required.

#### Application process (commercial registration and exemptions)

Registration — applicants must complete application form F4683 which has been designed specifically for the registration of commercial boat-share scheme ships. This form explains what other supporting documentation must be lodged with the application form.

The application for commercial registration must be lodged at a regional Maritime Safety Queensland office. This form may be accessed online at [http://www.msg.qld.gov.au/Home/About us/Msq\\_headlines/Headlines\\_boatshare](http://www.msg.qld.gov.au/Home/About us/Msq_headlines/Headlines_boatshare).

Exemptions — exemptions may be granted in respect to registration requirements, safety equipment requirements and licensing requirements provided certain conditions are met. The documentation to support exemptions is to be submitted with the application for commercial registration.

#### **Request for advice**

Operators or owners of a ship in a boat-share scheme who are not certain how their ship should be registered, may request advice from Maritime Safety Queensland to clarify whether the ship should be registered as either commercial or recreational (please refer to the frequently asked questions for further information).

#### **Availability**

The information sheet for commercial boat-share registration applicants which contains the boat-share policy may be viewed online at [http://www.msg.qld.gov.au/Home/About us/Msq\\_headlines/Headlines\\_boatshare](http://www.msg.qld.gov.au/Home/About us/Msq_headlines/Headlines_boatshare). Additional information can be found in the frequently asked question at the above link.

#### **Public release**

The boat-share policy came into effect on 1 January 2009.

#### **Information**

For further information about this Marine Information Bulletin, email [msgmail@msg.qld.gov.au](mailto: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](http://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