

Maritime Safety Authority of Fiji

Update on Maritime Safety, Security and
Protection of the Marine Environment
Regulation

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Proactive Measures

- ➔ Jun '11: Cabinet endorsed the review of the Marine Act 1986
- ➔ Nov '11, Feb '12 & Apr '12: Gap analysis on existing legislation
- ➔ 2011-2013: Wide ranging public and stakeholder consultations – Draft Maritime Transport Decree and Draft Ship Registration Decree
- ➔ 2013: Maritime Transport Decree 2013 (MTD) and Draft Ship Registration Decree 2013 (SRD)
- ➔ 2013-2014: Public and stakeholder consultations - Maritime and Marine Regulations

What did we learn from the consultations?

- ➔ Gaps and overlaps in existing legislation
- ➔ Difficulties in enforcement
- ➔ General lack of knowledge in maritime industry of existing maritime legislation
- ➔ Safety of Life at Sea compromised
- ➔ Our pristine maritime environment compromised
- ➔ Current maritime legislation left wanting and required review and updating
- ➔ MSAF's staff required extensive upskilling and training
- ➔ Replacement of Marine Checkers with Regional Enforcement & Compliance Officers with the future introduction of Infringement Regulations

What did we learn from the consultations?

- ➔ MSAF needed a new approach: transition from pure REGULATOR to REGULATOR/ENABLER
- ➔ Requests re compliance, esp. for the <10 metre vessels
 - MSAF's services needed to be decentralized, mobile and 'real-time'
 - LSA was expensive and not available in more remote areas
 - Affordability of compliance versus profitability of MSAF
 - Required time (6 months) to comply

Proactive Measures

- ➔ Mar '13: Cabinet agreed that Fiji ratify 7 IMO Conventions:
 - International Convention for the Prevention of Pollution from Ships (MARPOL 73/78);
 - International Convention for the Control and Management of Ship's Ballast Water and Sediments (BWM 2004);
 - International Convention on the Control of Anti-Fouling Systems on Ships (AFS 2001);
 - Protocol on Preparedness, Response and Cooperation to Pollution incidents by Hazardous and Noxious substances (OPRC – HNS Protocol 2000);
 - International Convention on Salvage (Salvage Convention 1989).
 - International Convention of Maritime Search and Rescue (SAR Convention 1979);
 - Convention on Facilitation of International Maritime Traffic (FAL Convention 1965);

Proactive Measures

- Jan'13: 32% import duty on imported life jacket foam removed
- July'13: Gazettal of the MTD & SRD, incorporating 7 IMO conventions (in addition to the 6 Conventions reflected in the *Marine Act 1986*), with a commencement date of 5 Mar '14
- Oct '13: Survey, registration and CTL fee reduction
- Oct'13-ongoing: Public and stakeholder consultations on the 30 Maritime and Marine Regulations (previously 13 Regulations)
- Mar '14: Commencement date of MTD & SRD extended to 5 Sept '14
- Mar '14: National AtoN Risk Assessment
- May '14 APHoMSA Meeting in Fiji
- Jun'14: National Oil Spill Risk Assessment
- Sept'14: Planned commencement date of MTD, SRD and Maritime & Marine Regulations

THANK YOU