



School Vessel Treatment

This document contains information regarding which laws apply to vessels owned by WA Primary and Secondary schools. Changes to their treatment occurred on 1 July 2013 due to the Commonwealth Parliament recently passing new laws to regulate commercial vessels.

1 Waterways Management Rules

Schools are still responsible for safely operating their vessels, as well as for the safety of the vessel, its crew and passengers. Under the *Western Australian Marine Act 1982* (WAMA) waterways management rules such as the *Prevention of Collisions at Sea Regulations 1983*, speed limits and water closures apply to all vessels. The Department recommends you operate in accordance with outdoor activities guidelines such as the Department of Education guidelines or Australian Adventure Activity Standards.

2 Vessel Treatment

In terms of design, construction, equipment and qualifications, the way your school's vessel is used will determine which law applies. 'Vessel' includes a motorised or non-motorised vessel, including most types of paddle craft. WA marine laws do not apply to surfboards and stand up paddle boards.

2.1 Marine Safety (Domestic Commercial Vessel) National Law Act 2012

If a school uses its vessel for any of the following purposes or activities it will be treated as commercial and therefore subject to the National Law:

- for the purpose of hiring the vessel to a person who is not a student at the school (hire and drive);
- for the purpose of chartering the vessel;
- to train, for financial gain or reward, a person who is not a student at a school.

For more information regarding the National Law's application to school vessels please contact the Australian Maritime Safety Authority (AMSA) at www.amsa.gov.au/domestic or the Department of Transport, Commercial Vessel Safety on 1300 723 226.

2.2 Western Australian Marine Act 1982

If vessels are not used for these purposes, they will continue to be regulated under the WAMA as recreational vessels. Please note:

- If your school has a motorised vessel it is required to comply with certain registration, qualification (Recreational Skippers Ticket, if the motor is 6 hp (>4.5kW)) and safety equipment requirements. More information can be found at www.amsa.gov.au/domestic or contact the Department of Transport, on 1300 863 308.
- If you are using a paddle craft you do not need an RST or registration (providing no motor can be fitted), however you do need to comply with safety equipment requirements. For more information please refer to the new "Paddle Safe" campaign which clarifies the safety standards that apply to paddle craft such as canoes, kayaks, surf skis or inflatables at www.amsa.gov.au/domestic.