

A guide to the Marine Regulations and how they affect you



Lifejacket Regulations in Victoria have changed



Marine Safety Victoria (MSV) has reviewed the need for recreational boaters to wear Personal Flotation Devices (PFDs) based on the recommendations by the Victorian State Coroner and has adopted the National Standard for Recreational Boating Safety Equipment.

This brochure contains a summary of the key changes, which include:

- The requirement for wearing PFDs on Victorian waters
- Safety equipment to be carried on recreational vessels
- Changes to Emergency Position Indicating Radio Beacons (EPIRBs).

Personal Flotation Devices (PFDs)

MSV has utilised the term Personal Flotation Device or PFD throughout this document (and the Regulations) as this term more accurately describes a range of different flotation devices in addition to lifejackets. The term lifejacket does not include PFDs Type 2 or 3.

Wearing of PFDs on recreational vessels

Victoria has new requirements for the wearing of PFDs at certain times on recreational vessels. Under the new regulations, you may be required to wear a specified type of PFD **when in an open area of a recreational vessel when the vessel is under way.**

Wearing of PFDs on recreational vessels at all times

All occupants of the following vessels are required to wear a specified PFD **when under way and when in an open area of the vessel:**

- Power driven vessels up to and including 4.8 metres (m) in length
- Off-the-beach sailing yachts
- Personal watercraft
- Canoes, kayaks and rowing boats
- Pedal boats and fun boats
- Kite boards and sail boards
- Recreational tenders.

Wearing of PFDs on recreational vessels during times of heightened risk

All occupants of the following vessels are required to wear a specified PFD (see table for PFD types) at times of heightened risk **when under way and when in an open area of the vessel:**

- Yachts (including monohull, trailerable and multihull yachts, excluding off the beach sailing yachts)
- Power driven vessels greater than 4.8 m and less than 12 m

PFDs on children

Children under the age of 10 must wear a specified PFD at all times on any vessel when the vessel is under way and they are in an open area of the vessel.

When choosing a PFD for a child, care must be taken to ensure that the garment fits the child and that small children do not slip out when placed in the water.

What type of PFD must I wear?

When occupants of a vessel are required to wear a PFD (refer above), the following specified PFDs must be worn.

Vessel type	Coastal waters	Enclosed waters	Inland waters
Powerboat up to and including 4.8 m in length	PFD Type 1	PFD Type 1	PFD Type 1 or 2 or 3
Powerboat greater than 4.8 m and less than 12 m	PFD Type 1	PFD Type 1	PFD Type 1 or 2 or 3
Personal watercraft	PFD Type 1 or 2 or 3	PFD Type 1 or 2 or 3	PFD Type 1 or 2 or 3
Recreational tender	PFD Type 1	PFD Type 1 or 2	PFD Type 1 or 2 or 3
Off-the-beach sailing yacht	PFD Type 1 (> 2 nm) or 2	PFD Type 1 or 2	PFD Type 1 or 2
Yacht	PFD Type 1	PFD Type 1 or 2	PFD Type 1 or 2 or 3
Kite board and sail board	PFD Type 1 or 2	PFD Type 1 or 2 or 3	PFD Type 1 or 2 or 3
Canoe, kayak, rowing boat, raft, pedal boat or fun boat	PFD Type 1 or 2 or 3	PFD Type 1 or 2 or 3	PFD Type 1 or 2 or 3

A PFD Type 1 is a recognised lifejacket. A PFD Type 1 will provide a high level of buoyancy and keep the wearer in a safe floating position. They are made in high visibility colours with retro-reflective patches.



Is your PFD legal?

A PFD Type 1 must comply with:

- Australian Standard AS 1512 – 1996 – Personal Flotation Devices – Type 1, or
- Australian Maritime Safety Authority Marine Orders Part 25, Appendix 1, Section 2 SOLAS Life-jackets, or
- Uniform Shipping Laws Code, Section 10, Appendix R, or
- European Standard EN399 – 1993 Lifejackets – 275N, or
- European Standard EN396 – 1993 Lifejackets – 150N, or
- European Standard EN395 – 1993 Lifejackets – 100N, or
- Canadian General Standards CAN/CGSB-65.11-M88 (adults) CAN/CGSB-65.15-M88 (children), or
- Underwriters Laboratories Standards UL 1180, or
- New Zealand Standards NZ5823:2001 Type 401, or
- any standard or specifications approved by the Director of Marine Safety.

A PFD Type 2 is a buoyancy vest – not a lifejacket. It will provide less buoyancy than a PFD Type 1 but sufficient to keep your head above water. Like a PFD Type 1 they are manufactured in high visibility colours.

A PFD Type 3 is a buoyancy garment – not a lifejacket. They have similar buoyancy to a PFD Type 2 and are manufactured in a wide variety of colours.



Is your PFD legal?

A PFD Type 2 must comply with:

- Australian Standard AS 1499-1996 – Personal Flotation Devices Type 2
- European Standard EN 393 – 1993 Lifejackets – 50N.

A PFD Type 3 must comply with:

- Australian Standard AS 2260-1996 – Personal Flotation Devices Type 3.



It is extremely difficult (and in some circumstances impossible) to put a lifejacket on if you are in the water, so prevent yourself and your crew from being in this situation and wear your lifejacket.

Heightened risk

- when the vessel is crossing or attempting to cross an ocean bar or designated hazardous area
- when the vessel is being operated by a person who is alone
- when being operated at night (commencing one hour after sunset and ending one hour before sunrise) or in periods of restricted visibility
- when there is significant likelihood that the vessel may capsize or be swamped by waves or the occupants of the vessel may fall overboard or be forced to enter the water
- when the vessel is operating in an area where: a gale warning, storm warning, severe thunderstorm warning or severe weather warning issued by the Bureau of Meteorology is current
- when the vessel is a yacht where there are no safety barriers, lifelines, rails, safety harnesses or jacklines in use.

Why 4.8 m, why not all boats?

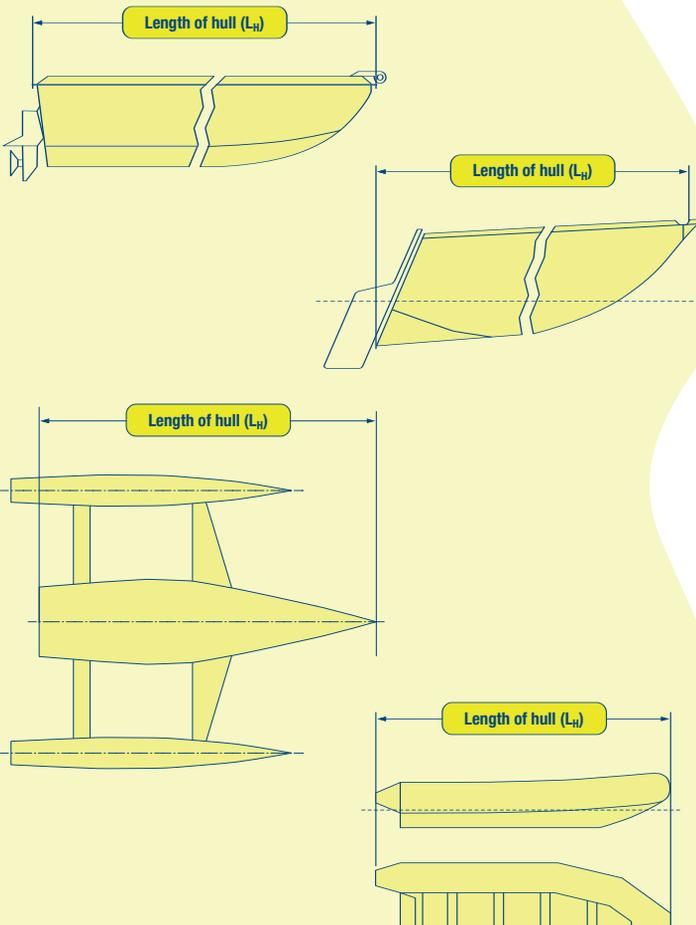
The 4.8 m cut-off length has been determined on the basis that it is used in international standards for vessel buoyancy and stability criteria. Boats under 4.8 m in length are more susceptible to swamping and capsizing.

How do I know how long my vessel is?

Length of vessel – means length of hull (L_H). This includes all structural and integral parts of the craft, such as wooden, plastic or metal stem or sterns, bulwarks and hull/deck joints. This length excludes removable parts that can be detached in a non-destructive manner and without affecting the structural integrity of the craft, e.g. outboard motors, swimming platforms, bowsprits, fittings or attachments.

This measure is consistent with the International Standard, Small Craft – Principal Data Standard.

This is also the measure to be used when calculating vessel carrying capacity and when registering the vessel with VicRoads.



What does under way mean?

Under way means not at anchor, made fast to the shore, or aground. If you are drifting you are under way.

Vessels travelling at any speed are at risk of being involved in an incident where the occupants suddenly and unexpectedly enter the water. Nationally, 17% of all fatalities occurred whilst the vessel was drifting, which is typically at slow speed.

What is meant by an open area?

An open area, in the case of a recreational vessel, means:

- all deck areas, including coach roofs, superstructures, open flying bridges, trampolines and nets, excluding areas within a rigid deck house, a rigid cabin, a rigid half cabin or a securely enclosed under deck space; or
- in the case of vessels without a deck, means the whole vessel excluding areas within a rigid cabin or a securely enclosed space; or
- in the case of kayaks or canoes, means the whole vessel.

What is meant by a recreational tender?

Recreational tender means a vessel, other than a personal watercraft that:

- does not exceed 4.8 m in length
- is used, or that is intended to be used, as a means of transportation but not for towing
- conspicuously displays the name of its mother vessel or the registration number of that vessel and the letter 'T'
- operates or is intended to operate:
 - between the shore and another recreational vessel that is no more than 300 m from the shore and no more than 300 m from the point of its entry to the water
 - between recreational vessels that are no more than 300 m apart.

Do I have to wear a PFD in my tender?

Occupants of tenders will be required to wear a PFD at all times while the tender is under way.

Do I have to wear a PFD below deck or in the galley of my boat?

No, the new Regulations only apply when occupants are in an open area of the vessel and the vessel is under way. You are not required to wear a PFD when in the galley, in the shower, within a cabin or anytime you are below deck.

If I am operating a kite board or sail board do I have to wear a PFD?

The requirement to wear a PFD does not apply whilst operating a kite board or sail board providing you are no more than 400 m from shore and are wearing a wetsuit that is at least 3 mm thick.

Minimum safety equipment

New requirements now exist for safety equipment on recreational vessels. MSV has amended these requirements based on the National Standard for Recreational Boating Safety Equipment.

The tables below show the minimum safety equipment that must be carried on board your vessel. This equipment is for your own safety and that of others on the water and they are minimum requirements.

There are other things every sensible boat operator will also want to have aboard to enhance safety, confidence and enjoyment. Although not compulsory under the regulations, they are easily acquired and at reasonable cost. For example, a first-aid kit, drinking water and a basic tool-kit.

Equipment maintenance

All safety equipment required to be carried on board must be:

- placed or located in a conspicuous and readily accessible position at all times
- kept in good order at all times
- maintained or serviced in a way that ensures they are able to be operated at all times
- serviced on or before the date specified by the manufacturer for that item of equipment
- in the case of fire extinguishers, be maintained in accordance with the relevant standard for fire protection equipment.

Minimum safety equipment requirements for mechanically powered vessels

	Powerboat			
	COASTAL OFFSHORE (>2 nm from coast)	COASTAL INSHORE (<2 nm from coast)	ENCLOSED (Bays and estuaries)	INLAND (Rivers, lakes and dams)
PFD (per person on board/towed)	Type 1	Type 1	Type 1	Type 1, 2 or 3
Approved fire extinguisher (where any fuel is carried. Refer to relevant table to determine number and capacity required)	✓	✓	✓	✓
Waterproof buoyant torch	1	1	1	1
Anchor and chain or line or both	1	1	1	
Bailer (if no electric or manual bilge pumping system)	1	1	1	1
Bucket with lanyard (can also double as a bailer)	1	1	1	1
Electric or manual bilge pumping system (if vessel has covered bilge or closed underfloor compartments)	1	1	1	1
Pair of oars with rowlocks or pair of paddles (if vessel is up to and including 4.8 m)	1	1	1	1
Hand held orange smoke signals	2	2	2	
Hand held red distress flares	2	2	2	
Lifebuoy (if vessel is more than 8 m but less than 12 m in length)	1	1	1	1
Lifebuoy (if vessel is more than 12 m in length)	2	2	2	2
One dinghy or liferaft (if vessel is more than 12 m in length)	1	1		
Compass	1			
Marine radio	1			
Red star parachute distress rocket	1			
Approved EPIRB	1			

Personal watercraft in all waters must wear a PFD Type 1, 2 or 3 and carry a waterproof buoyant torch. An approved EPIRB is also required if travelling more than two nautical miles from the coast.

Minimum safety equipment requirements for sail and human powered vessels

	Off-the-beach sailing yacht				Yacht				Kayak, canoe, raft and rowing boat			
	COASTAL OFFSHORE (>2 nm from coast)	COASTAL INSHORE (<2 nm from coast)	ENCLOSED (Bays and estuaries)	INLAND (Rivers, lakes and dams)	COASTAL OFFSHORE (>2 nm from coast)	COASTAL INSHORE (<2 nm from coast)	ENCLOSED (Bays and estuaries)	INLAND (Rivers, lakes and dams)	COASTAL OFFSHORE (>2 nm from coast)	COASTAL INSHORE (<2 nm from coast)	ENCLOSED (Bays and estuaries)	INLAND (Rivers, lakes and dams)
PFD (per person on board/towed)	Type 1	Type 1 or 2	Type 1 or 2	Type 1 or 2	Type 1	Type 1	Type 1 or 2	Type 1 or 2	Type 1, 2 or 3	Type 1, 2 or 3	Type 1, 2 or 3	Type 1, 2 or 3
Approved fire extinguisher (where any fuel is carried. Refer to relevant table to determine number and capacity required)					✓	✓	✓	✓				
Waterproof buoyant torch					1	1	1	1	1			
Anchor and chain or line or both					1	1	1					
Bailer (if no electric or manual bilge pumping system)	1*	1*	1*	1*	1	1	1	1	1	1	1	1
Bucket with lanyard (can also double as a bailer)					1	1	1	1				
Electric or manual bilge pumping system (if vessel has covered bilge or closed underfloor compartments)	1	1	1	1	1	1	1	1	1	1	1	1
Hand held orange smoke signals	2				2	2	2		2			
Hand held red distress flares	2				2	2	2		2			
Lifebuoy (if vessel is more than 8 m but less than 12 m in length)					1	1	1	1				
Lifebuoy (if vessel is more than 12 m in length)					2	2	2	2				
One dinghy or liferaft (if vessel is more than 12 m in length)					1	1						
Compass	1				1				1			
Marine radio	1				1							
Red star parachute distress rocket	1				1							
Spare oar with rowlock or spare paddle									1			
Approved EPIRB	1				1				1			

* If vessel is not self-draining without intervention from the crew.

Portable fire extinguishers

Portable fire extinguishers are required on all vessels equipped with an electric start motor, gas installation or fuel stove or where any fuel is carried. Fire extinguishers **must be of a dry chemical type** that complies with the relevant Australian Standard.

A fire blanket must also be carried on vessels where cooking facilities are located in an enclosed space, e.g. the galley on a yacht. The following tables describe the number and size of fire extinguishers that are required on a given vessel.



Vessel size	Number required
Less than 8 m	One
8 to 12 m	Two
Greater than 12 m	Three

Capacity of flammable or combustible liquids that are able to be carried on vessel	Minimum capacity
Less than 115 litres	0.9 kg
115 to 350 litres	2.0 kg
351 to 695 litres	4.5 kg
More than 695 litres	9.0 kg

Example

Michelle's 4.2 m aluminium boat with a 25 HP engine has a fuel carrying capacity of 40 litres. The minimum fire fighting requirements are:

- One 0.9 kg dry chemical fire extinguisher (vessel less than 8 m, with less than 115 litre fuel capacity)
- One bucket with lanyard.

Example

John's 8.5 m Sports Cruiser can carry 390 litres of fuel (including cooking gas) and has a galley below deck. The minimum fire fighting requirements are:

- Two 4.5 kg dry chemical fire extinguishers (vessel 8 to 12 m, with 351-695 litre fuel capacity)
- One fire blanket
- One bucket with lanyard

Distress flares

Many recreational vessels are required to carry two hand-held red flares and two hand-held orange smoke flares, of an approved type when operating on coastal and enclosed waters.



Red star parachute distress rockets are required by many vessels when venturing greater than 2 nautical miles (nm) from the shore.

Compass

The requirements for a compass specify that it must be of an efficient type and maintained in accordance with section 230B of the Regulations. Therefore, an efficient compass may be deemed to include electronic compasses, wrist mounted compasses and any other type suitable for the purposes of efficiently establishing direction.



A compass is now required to be carried onboard when venturing further than 2 nm from shore.

Marine radio

Marine radios provide a unique means of calling for assistance if a vessel is in distress, monitoring and/or updating rescue operations, and positioning a vessel by radio direction finding. Operators are also able to check weather conditions through one of the many marine Coast Stations and Limited Coast Stations.

Marine radios using 27 MHz, VHF or MF/HF frequencies are available for general use on board vessels. On recreational vessels, 27 MHz or VHF are the most common.



A marine radio is now required on many vessels when venturing further than 2 nm from the coast.

EPIRBs

All recreational vessels venturing more than 2 nm from the coast are required to carry an approved, current Emergency Position Indicating Radio Beacon (EPIRB). However, it is recommended that all vessels venturing into coastal waters carry an EPIRB.

Once activated, an EPIRB transmits a distress signal for at least 48 hours that can be detected by satellite and overflying aircraft. EPIRB alerts detected off Victoria are received at the Australian Maritime Safety Authority in Canberra and acted upon immediately. An EPIRB's location can generally be determined by the satellite to within a radius of 5 km for a 406 MHz beacon and 20 km for a 121.5 MHz beacon. Search aircraft can home in on the EPIRB's exact position. An EPIRB should be activated in situations where human life is in grave and imminent danger. The EPIRB should be accessible but stowed in a way to avoid accidental activation.



Only digital 406MHz EPIRBs will be detected by satellite from 1 February 2009. Analogue 121.5MHz EPIRBs will not be detected. Switch to 406 when the battery on your current beacon expires.

Coastal offshore

"Coastal offshore" means all waters greater than two nautical miles from the coast.

Heading offshore is a serious undertaking and operators of recreational vessels must ensure they are properly prepared.

Additional safety equipment ensures that operators have a means of raising the alarm in the event of an emergency. This equipment will provide an increased level of safety for all vessels heading offshore.

Coastal inshore

"Coastal inshore" means all waters along the Victorian coast within two nautical miles.

Enclosed waters

"Enclosed waters" refers to bays, inlets, estuaries and waterways that open to the sea. For a full list refer to Marine Regulations.

Many vessels in enclosed waters will now have additional equipment carriage requirements, in particular a requirement to carry an anchor and flares. Flares assist in raising the alarm in the event of an emergency and when a distance from shore. An anchor allows a vessel to maintain position should it encounter difficulties such as engine failure. These requirements provide consistency with the National Standard for Recreational Boating Safety Equipment.

Your questions answered

Do the new changes apply to commercial vessels?

No. Commercial vessels have differing and more stringent requirements for buoyancy and stability characteristics, crewing determinations and safety equipment.

What if I hire a boat?

The regulations do not extend to the operation of hire and drive vessels as these vessels are covered by commercial vessel arrangements. Separate regulations are being prepared to extend the PFD requirements to operators of hire and drive vessels. Currently hire and drive boats are required to carry coastal lifejackets, which are more stringent than PFD Type 1s and owners of these vessels will be able to choose more appropriate PFDs to be used with their vessels.

What if I am visiting from interstate?

While operating on Victorian State waters visitors from interstate must adhere to the requirements for wearing of PFDs. Vessels normally domiciled outside Victoria are exempt from the Victorian safety equipment carriage requirements providing they comply with the equipment requirements of the State or Territory of origin for a period of up to three months.

What changes apply to off-the-beach sailing yachts?

The new Regulations recognise the difficulty in stowing safety equipment during normal operation on an off-the-beach sailing yacht. Additional requirements for heading offshore do apply to this type of craft.

Where can I get a copy of the new Regulations?

Copies of Victorian Legislation and Parliamentary documents can be accessed at: <http://www.dms.dpc.vic.gov.au>

Hard copies can be ordered from Information Victoria on **1300 366 356**.

For further information

A new copy of the Victorian Recreational Boating Safety Handbook is available from MSV.

Visit: www.marinesafety.vic.gov.au or call **1800 223 022**.

All information is current at the time of printing (December 2005) and is provided as a guide only. For full details refer to the *Marine Act 1988* and the *Marine Regulations 1999* and *Marine (Personal Flotation Devices and other Safety Equipment) Regulations 2005*. For a free copy of the *Victorian Recreational Boating Safety Handbook* call **1800 223 022** or visit www.marinesafety.vic.gov.au. Published by Marine Safety Victoria, Level 11, 80 Collins Street, Melbourne December 2005. Also published on www.marinesafety.vic.gov.au Authorised by the Victorian Government, 80 Collins Street, Melbourne.

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就游艇必须配备的最低安全救生设备，以及在某些情况下必须穿戴个人漂浮装置（PFD）事宜，维多利亚州政府现已实施了新的相关规定。详情请致电 1800 223 022，与维多利亚海上安全部（MSV）联络，或浏览 www.marinesafety.vic.gov.au。

Victoria Hükümeti, dinlence amaçlı teknelerde bulundurulması gereken asgari güvenlik gereci sayısı ve belirli durumlarda can yeleği (Kişisel Yüzme Gereci/ Personal Flotation Devices) giyilmesi ile ilgili yeni bir yönetmelik uygulamaktadır. Ayrıntılı bilgi için 1800 223 022 numaradan Marine Safety Victoria'yı arayınız ya da www.marinesafety.vic.gov.au web sitesini ziyaret ediniz.

Chính phủ Tiểu bang Victoria đã bắt đầu cho áp dụng các điều luật mới đối với các tàu thuyền tiêu khiển liên quan đến những qui định về trang bị an toàn tối thiểu và việc mặc Áo phao trong một số tình trạng nhất định. Muốn biết thêm chi tiết, xin điện thoại cho Cơ quan An toàn Tàu thuyền Victoria (Marine Safety Victoria) qua số 1800 223 022 hoặc vào website www.marinesafety.vic.gov.au.