



Transport for NSW's Maritime Branch (Maritime) conducts investigations as part of its role as the maritime safety regulator on NSW waterways.

## Why does Maritime conduct investigations?

Investigations allow Maritime to collect information that is used to develop strategies to encourage safety and enforce compliance with the law. Through safer boating practices we can help prevent loss of property and life on the water, and maintain the safety and amenity of the marine environment in NSW.

Information gathered during investigations also informs education and compliance programs and guides legislative reform.

## What does Maritime investigate?

Maritime investigates a number of matters relating to marine and environmental safety, including:

- Marine accidents and incidents
- Marine pollution incidents
- Fraud related to marine safety licenses such as boat driving licenses and vessel registrations
- Matters relating to the Boatcode System.

Marine accidents and incidents include when:

- a person is killed or injured on a vessel
- a person falls overboard
- a person is hit by a vessel or its propeller
- a vessel is involved in a 'close quarters' situation – for example, when taking evasive action to avoid colliding with another vessel
- a vessel sinks, capsizes, runs aground or floods
- a vessel collides with another vessel or object
- there's a fire or explosion on board a vessel
- a vessel causes damage to the environment.

Marine pollution incidents include the release of oils, chemicals, garbage and sewage from a vessel into the waterways.

## Who conducts a maritime investigation?

A Maritime Officer will conduct the investigation. These officers have been appointed as an Authorised Officer under Section 96 of the *Marine Safety Act 1998* and have extensive legal powers.

Maritime may collaborate with other agencies, such as NSW Police, to conduct investigations. Maritime also has arrangements to share information with agencies, such as the Australian Maritime Safety Authority and the Office of Transport Safety Investigations, which may conduct their own investigations.

## What may the outcome of an investigation be?

The outcomes of an incident depend on the circumstances and severity of the incident. Table 1 below describes the outcomes for incidents ranging from critical to minor.

**Table 1: Potential outcomes of investigations**

Incident severity	Criteria	Potential outcomes
<b>Critical</b>	<ul style="list-style-type: none"> <li>Fatality</li> <li>Property damage over \$100,000</li> <li>Significant environmental damage</li> <li>Seagoing ship/pilotage incident including tugs, pilot launches and dredges</li> <li>Delay to shipping or port operations</li> <li>Extreme exacerbating factors.</li> </ul>	<ul style="list-style-type: none"> <li>Coronial Inquiry, Indictable Offences (NSW Police will be the lead agency for these matters).</li> <li>Charges laid under act other than <i>Marine Safety Act 1998</i>.</li> </ul>
<b>Serious</b>	<ul style="list-style-type: none"> <li>Any injury requiring hospitalisation or ambulance attendance</li> <li>Property damage from \$50,000 - \$100,000</li> <li>Some exacerbating factors.</li> </ul>	Charges likely to be summary offence requiring Court Attendance Notice.
<b>Moderate</b>	<ul style="list-style-type: none"> <li>Minor injury (first aid only)</li> <li>No exacerbating factors</li> <li>Property damage less than \$50,000.</li> </ul>	Penalty Notice or Official Caution.
<b>Minor</b>	<ul style="list-style-type: none"> <li>No injury</li> <li>Property damage less than \$5,000</li> <li>No environmental damage</li> <li>No delay to shipping or port operations</li> <li>No exacerbating factors.</li> </ul>	A record of the incident is kept for data collection and analysis purposes.

## Who to contact in a maritime investigation

If you are involved in a maritime investigation and require more information, contact the investigating officer directly. You may also contact the on-call Maritime Investigations Officer on (02) 9563 8810.