

The Australian
Maritime Officer



JOURNAL OF THE AUSTRALIAN MARITIME OFFICERS UNION
OCTOBER 2006 **VOL 15** **NO 1**

Registered by Australia Print Post Publication No. P235387/00040

This Issue

TasPorts	4
Shipowner liable for pilot's negligence	6
National Maritime Safety Conference QLD	8
Offshore Report	10
Port Services Report	18
Captain Martin Price	26



Front page: Gladstone Pilot helicopter landing on a geared handysized bulkcarrier. Photo courtesy of Gladstone Pilots' Delegate Paul Chapman

National Office

Suite 1, 5th Floor, 377 Sussex Street, SYDNEY, NSW, 2000
PO Box 407, HAYMARKET, NSW, 1240

Phone: 02 - 9264 2388
Fax: 02 - 9267 4766

E-mail addresses:

amou@amou.com.au
fred@amou.com.au
michael@amou.com.au
john@amou.com.au
admin@amou.com.au
(for fees and administration)

Website: www.amou.com.au

President: Richard Hoare

Vice President: Murray Doyle

Secretaries:

Michael Fleming
Wayne Moore

Director Offshore Division:

Fred Ross

Director Port Services Division:

Michael Fleming

National Offshore Industrial Officer:

John Wydell

Meetings

Sydney — The last Tuesday in each month, at the AMOU Office, 5th floor, 377 Sussex Street, SYDNEY -0930 hours.

Fremantle — The last Tuesday in each month, at The Flying Angel Club, 76 Queen Victoria St., FREMANTLE - 1030 hours.

Area Offices

Eastern Area

New South Wales

As National Office

Queensland

Industrial Officer: Richard Barnes

Mobile: 0407 912 932

Email: richardbarnes@amou.com.au

Area President: Robert Brownrigg

Area Vice President: Michael Kelly

Central Area

Contact National Office in Sydney

Phone: 02 9264 2388

Southern Area

Lawrence House, 194 Drummond Street, CARLTON, VIC 3053

Phone: 03 -9663 6702

Fax: 03 - 9663 3747

Email: vic@amou.com.au

Area President: Lance Morgan

Area Vice President: Neil Hunter

Area Secretary: Steve Groves

Western Area

1 High Street, FREMANTLE, WA, 6160

PO Box 568, FREMANTLE, WA, 6160

Phone: 08 - 9335 3535

Fax: 08 - 9335 1990

Email: wa@amou.com.au

Area President: Gary Mather

Area Vice President:

Robert Rawlings

Area Secretary: Fred Lawrence

Industrial Officer: Carl Young

Email: carl@amou.com.au

The Australian

Maritime Officer

Editor:

Richard Hoare

Design, Layout &

Production:

Lotta Ross

Wordprocessing:

Christine Russell

Printing:

Hermes Precisa Pty Ltd

AUSTRALIAN MARITIME OFFICERS UNION



The Australian Maritime Officers Union (AMOU) was formed when the Merchant Service Guild and the Australian Stevedoring Supervisors Association amalgamated. With a proud history extending back to the 1880s the AMOU is uniquely placed to represent all professional, administrative, supervisory and technical employees in the maritime and stevedoring industries and in Port and Marine Authorities.



President's REPORT

by Richard Hoare

Executive Council in February 2006 discussed at length the possible effects on the AMOU of the new Federal Industrial Relations laws and the way the AMOU is managed and how it goes about its business. There was a unanimous view that major changes need to be made to the AMOU Constitution and Rules.

Executive Council holds the view that that AMOU membership involvement has now fundamentally shifted to enterprise based membership activities and outcomes and that the current management structure needs alteration to take into account these changes.

The discussion led to an examination of the role of the Executive Council in policy settings and internal governance together with the need to revitalize membership participation.

Executive Council met again in March and discussed at length the proposed restructuring, the need to maintain two divisions (Port Services Division and Offshore Division) and their composition and the role of Divisional Directors and their interaction with workplace councils and membership. The revised composition of Executive Council was reached by resolution. A programme for rule changes and election of a new Executive Council was discussed and agreed upon.

A draft rules document was tabled and the procedure involved in membership approval was discussed. It was agreed that Councillors would take time to study the document.

Executive Council met again in August and approved the final draft of rule changes. A further meeting will be held in November to set a date

for a rule change ballot and preparations for Executive Council elections.

It is intended that subject to legal approval, members will be advised of the rule change proposals; have adequate time to study the document and go to ballot early in the New Year. Following the result of the Ballot elections for Executive Council can get underway.

Several Executive Council members have left the industry or passed away and others have indicated to me that they do not intend to stand for re-election. As I am now retired from the industry it is time for me to step down.

It is for these reasons that I have proposed minimal changes to the composition of Executive Council and with their approval have brought forward the election process. I, together with the remaining Council members will continue in office and hand over to the newly Elected Council following the elections.

For the AMOU to move forward the new Executive Council will need to work closely with the Divisional Directors and Industrial staff. I would expect that some of the responsibilities and duties currently undertaken by the President and Divisional Directors would be allocated to Executive Council members.

Any members who are interested in standing for Executive Council and are unsure of the duties and obligations the position holds are always welcome to contact myself or other members of council for a confidential discussion.

Smooth sailing
Captain Richard Hoare



"Cape Donnington" at Risdon, Hobart

Following the passing by the Tasmanian Parliament and assent of the 'Tasmanian Ports Corporation Act' the four Tasmanian Port Authorities ceased operations and TasPorts commenced in January 2006.

Like many regions of Australia Tasmania relied on coastal sea transport for its early development. At one stage Strahan on the west coast; together with the nearby King River berths and another port at Kelly Basin; served the West Coast mineral boom making Macquarie Harbour one of Australia's busiest ports. Other commercial ports such as Stanley, Port Huon and Launceston also developed and for a while flourished. However times change, transport alternatives improve and many once thriving ports have fallen into decline, overtaken by evolving needs, systems and services. The cargo ships have moved on, having grown in size to a point that "Hells Gates" could never have accommodated. Today the road provides the link for people, the rail for west coast minerals. Perhaps surprisingly though Strahan is still busy, enjoying a tourist boom with Gordon River cruise vessels and commercial fish farming activities. As one enterprise closes others evolve. This is a story that will be familiar to observers all over Australia.

In 1997 Tasmanian ports were rationalised from the many old Marine Boards into three northern Government Owned Enterprises (GOE) of Burnie, Devonport and Bell Bay together with the privately owned bulk mineral Port Latta. The smaller so called non-commercial ports such as Ulverstone and Bridport were taken over by the then new Government Department - Marine and Safety Tasmania – MAST. In the south Hobart Ports was formed under the same GOE principles and decided to retain control of the Triabunna wood chip berth, port operations in Port Huon, Stanley, Strahan, and King Island, all with some pilotage work in addition to Hobart. Pilots were also supplied from Hobart to Wineglass Bay, Port Arthur, Port Davey and the D'Entrecasteaux Channel - principally for visiting coastal cruise ships. With the various zones Hobart pilots could be expected to hold 10 licences, whilst in the north of the state pilots from the three companies worked in 5 areas.

Leaving aside Port Latta, the government at that stage owned four competing port companies in line with the National Competition Policy of the day. Perversely it quickly became obvious that the newly commercially aggressive and fiercely competitive neighbours were in fact duplicating resources and bidding for a finite source

of income, all within a relatively small geographic area. With no mineral boom driving things in this State, genuinely new trade was difficult to come by. At the same time logistic companies were developing Bass Strait ferry services together with their Tasmanian road and rail chains and it became quite clear that they could effectively play one GOE neighbour off against another. This was largely at the expense of Hobart which despite a fine natural harbour, the deepest berths in the state and capital city status had gradually lost sea trade due to its location in the south of Tasmania. Ironically the Hobart container yard appears full of containers, but general cargo moves out of the port on trains and trucks - not by sea - to ferries operating from northern Tasmania into terminals at Melbourne. Hobart retains bulk to and from Risdon zinc works, petroleum and bulk gas, some logs, caustic soda imports, cruise and Antarctic shipping. With Hobart the centre of much Antarctic activity and at the hub of fantastic coastal cruising there is optimism for continued growth in those areas.

The Tasmanian Government wisely elected to revisit how port operations could be more efficiently delivered and so on First January 2006 TasPorts was formed by merging all four Tasmanian Port Authorities into one, with the head office at Devonport. This is an eminently realistic and rational step for Tasmania and brings the entire port infrastructure under one management which should be able to set pragmatic and suitable strategic policies into place, free of old parochial rivalry. Additionally there are obvious economies of scale and the port users will now deal with one Port Company, rather than having several to barter with. Cargo lost from Hobart must still move through TasPorts hands.

TasPorts has been structured into four divisions based on business lines rather than old geographic areas. The four divisions are Port Services, Logistics, Corporate Services and Infrastructure/ Property. Three of the former CEO's were appointed by TasPorts into Divisional General Manager Positions, whilst the GM Corporate services and the CEO were appointed from interstate.

The first Chief Executive Officer, Bernie Smith, has recently announced his retirement after several months of employment and the TasPorts Board of Directors have decided that Robert Barnes will succeed him in October 2006. The new CEO started his working life as a waterside worker, was a Stevedoring Supervisor and most recently was the General Manager, Specialised Logistics at Patrick Corporation.

From the point of view of AMOU members serving in the four centres there are very mixed views on the port amalgamation process. One of the first changes implemented by TasPorts was to abolish the Harbour Master position in the four commercial ports. The pilotage services are now managed and coordinated state wide. Some staff have approached the rationalisation with enthusiasm whilst others remain unconvinced of the benefits. The Tasmanian Government has repeatedly

stated that no one will lose their job as a consequence of the amalgamation.

The process of change is proving to be challenging given the great differences in direction taken by the former individual port companies which each interpreted and experienced the original GOE philosophy in unique ways. For example Devonport has benefited greatly from the increase of tonnage on Bass Strait and focused on their expanding ferry port, whilst Hobart traditionally had a very strong property portfolio providing a steady cash flow. Perhaps "seeing the writing on the wall" for shipping, Hobart also moved into stevedoring in Tasmania and interstate. Another issue is that Hobart operates in a busy and publicly utilised recreational capital city basin, whilst Burnie is almost exclusively large ships with little leisure or fishing activity and Bell Bay is essentially surrounded by an industrial estate. Civic pressures and community coexistence are therefore very different animals in the four centres. Operating practices in each port were also different and staff with similar titles performed different roles, or in some instances discharged similar tasks despite dissimilar titles.

Port Operations are now managed on a statewide basis by the recently appointed General Manager Port Services, Charles Black. Charles was formerly the CEO, Harbourmaster and Pilot at the Port of Launceston Authority. There are now three pilot stations in Tasmania with two Pilots at Burnie, three at Bell Bay and three more at Hobart. Pilotage at Devonport is provided by pilots from Burnie or Bell Bay whilst the Hobart Pilots continue to serve the much wider former Hobart Ports pilotage areas. However it seems likely that northern pilots will also become licensed for nearby King Island, and perhaps some southern areas when the opportunity allows.

After 14 months of difficult negotiations the AMOU - through Michael Fleming, Director Port Services Division - on behalf of Tasmanian Marine Pilots, has signed a collective bargaining agreement bringing all the TasPorts Pilots salaries and employment arrangements into line with our mainland peers after falling well off the pace in the 1990's and early 2000's. The 'Tasmanian Ports Corporation Marine Pilots Agreement 2006' has been approved under the Workplace Relations Act and is in operation.

Pilot transfer operations may in future be co-ordinated on a statewide basis with TasPorts currently owning and operating boats at Hobart, Bell Bay and Devonport. A contractor employing AMOU members provides the transfer service at Burnie and Triabunna. Since existing staff have been assured of job security presumably it is the contract arrangements that may be reviewed. Other port services provided by TasPorts include Port Control/ Port Security manned by AMOU members in the north (Bell Bay) and south of the State (Hobart) and once again

continued on page 27

The following article came from Andrew Hutton, 31st January 2006

I came across this recently and feel that our members in command should know their position. No doubt they are aware that they are given advice by the pilot. Also the pilot has no legal responsibility. But do they know that it is irrelevant if he is licensed or not?

Shipowner liable for pilot's negligence

by Selva Kumar

A Sydney court has dismissed with costs the appeal of a shipowner held vicariously liable for the negligence of a local harbour pilot who was onboard a bulk carrier that hit a wharf while berthing in Port Kembla in New South Wales.

Last month, the full bench of the Federal Court of Australia ruled that the trial judge was right to conclude that a pilot is, under Australia's laws, the shipowner's servant even where pilotage was mandatory and the port corporation had provided the pilot.

The collision in April 2002 on a fine sunny day, with hardly any wind, clear visibility and calm flat water resulted from the Bahamas-registered cape size bulk carrier *Fortius* going too far north of a channel before it started a swing to starboard. Both the pilot and master failed to arrest the vessel's momentum causing the bow to hit a wharf at almost 90 degrees. The pilot said the master failed to execute his helm and engine orders. The master said it was the pilot who failed to give the full astern order on time.

The port corporation argued that the collision was caused by the negligence of the master and the bridge crew, for which the shipowner was vicariously liable, and even if the pilot was negligent, the shipowner was still responsible because the pilot was subject to the authority and control of the master.

The port corporation's case was based on Section 410(B) of the Navigation Act 1912(Cth), a federal law, and similar provisions in the Ports Corporatisation and Waterways Management Act 1995 (NSW). Under Section 410(B) the master of the ship remains responsible for the conduct and navigation of the ship and the pilot is always under the authority of the master. Also, an owner or master is not relieved from responsibility for any loss or damage caused by the vessel because the vessel is under pilotage, even where the pilotage is compulsory, as is the case in Port Kembla.

At first instance, the trial judge found that the pilot and master had assessed the collision risk about 150 metres away from the wharf while the ship was travelling at one

knot but failed to put the engines to full astern and use the available tugs to arrest the ship's momentum. The trial judge ruled that the shipowner was liable for the master's and pilot's negligence and ordered the shipowner to pay more than A\$16 million (S\$19 million) in damages. (See Admiralty Casebook, Oct 1, 2004). The shipowner appealed but lost.

Last month, the Full Bench of the Federal Court of Australia ruled that Section 410(B) applied to make the shipowner responsible even if the pilot was unlicensed because a pilot on a vessel is the servant of the shipowner.

On appeal, the shipowner did not dispute the trial judge's findings of negligence but argued that Section 410(B) did not apply because the pilot in this case was unlicensed. That the pilot did not have a licence was, in the words of the trial judge, brought about by 'bureaucratic ineptitude' and did not in any way suggest that he was unqualified. In fact at no time during the trial did the parties litigate any issue pertaining to the pilot's training and experience or competency to hold the relevant licence.

However, on appeal, the shipowner said the fact that the pilot was unlicensed meant Section 410(B) did not apply, arguing that this interpretation emerges from the 'historical context, of the section.' The Federal Court acknowledged that although 19th Century courts in England did make a shipowner responsible for the actions of a pilot, they made exceptions where the pilotage was compulsory. In addition, under the UK General Law of 1820 and Merchant Shipping Acts of 1854 and 1894 the pilotage must not only have been compulsory but the pilot must also have been duly licensed.

However, in 1910, parties to the Convention for the Unification of Certain Rules of Law Respecting Collisions between Vessels agreed that shipowners would be liable for collisions even when their vessels were under compulsory pilotage.

Within a few years, the UK repealed the relevant provisions in the Marine Safety Act 1894. Australia's actions to give effect to the Convention were the genesis of Section 410(B). Referring to more recent decisions of the High Court of Australia, the Federal Court concluded that where Section 410(B) applied it would create the relationship of master and servant between the shipowner and pilot regardless of whether that pilot was licensed or not.

The Federal Court ruled that if the shipowner's arguments in this case were right, it would lead to the confusing result that only licensed pilots would be servants of the shipowner and unlicensed pilots would remain the servants of their employer throughout a compulsory pilotage. This would not be in accordance with the regime created by Section 410(B) that subject to any specific contractual relationships or personal undertakings, a pilot on a ship remains the servant of the shipowner.

Nothing in the Navigation Act states that Section 410(B) operated only if the pilot was licensed. Nor does the broad definition of 'pilot', as a 'person who has conduct of a vessel but does not belong to the ship', imply that Section 410(B) does not apply or applies in a restricted way if the pilot was unlicensed.

The fact that the Navigation Act clearly provides that the master of the ship remains responsible for the conduct and navigation of the ship and the pilot is under the authority of the master demonstrates that the question of whether a pilot is licensed or not is simply irrelevant, said the Federal Court.

Braverus Maritime Inc v Port Kembla Coal Terminal Ltd (2005) FCAFC 256, Dec 12, 2005 (judgement available at www.austlii.edu.au)

The writer, a law graduate, contributes law reports to the media. This is under copywrite. **MO**

Correction

It appears that the cover picture on the August 2005 Maritime Journal was published with the wrong description.

Below is an excerpt from a letter sent by Ray Zanos, Master of Safe Concordia and AMOU member on third November 2005.

Hello people,

I'd just like to make a quick note in regards to your August 2005 Journal cover. The SC is a DP class two Accommodation Support Vessel (ASV) and is not a drill rig. A bit of a giveaway is the fact that it has no drill tower. It does have a couple of large cranes and a big gangway.

FYI, it took us five weeks to steam, under our own power, from Singapore to Gladstone at an average of four knots. The photo was taken in Gladstone Harbour, where we sat on DP for bunkering, crew change etc.

I assume Mark Waugh was Mate on the Larcom, as he was not with us, and I'd like to add that they did a very good job. No hard feelings guys. Just the facts.



BIG Savings on just about anything!!

Who is Union Shopper?

Union Shopper began operations more than 25 years ago when the concept of a discount purchasing and service organisation for members received instant and widespread support.

Our membership of affiliated union members has since expanded to produce greater benefits to members through increased bargaining power.

The Union Shopper Inc. is a 100% union-owned organisation working exclusively for each union's membership.

How does Union Shopper work?

We aim to provide the best possible savings to our membership on a forever-growing variety of goods and services. Any profits made by Union Shopper in providing this service must be kept by the organisation to use for the greater benefit of all members, therefore producing new services and increased competitiveness.

To find out more about Union Shopper please use the contact numbers below:

All States (except Queensland)

1300 368 117

Brisbane Metro

3859 9999

Queensland Outside Brisbane Metro

1300 360 033

Website: www.unionshop.com.au

Associate Membership and Retirements

Members are reminded that when a financial member retires from the industry they are entitled to make application to the AMOU for Associate Membership.

The AMOU would like to wish all those members who retired this year a healthy and happy retirement.

Carl Young

I have been working out of the AMOU Fremantle Office since the end of last year and have found the job to be both challenging and very enjoyable.

I am not a mariner by occupation but have an extensive industrial relations background. I studied at the University of Western Australia for a number of years and have a Bachelor of Arts with a double major in industrial relations and politics, as well as doing honours in politics. My thesis topic was on trade union amalgamations.

After completing my honours year I commenced my Master of Industrial Relations at UWA but after 2 years I deferred this line of study and completed a Diploma of Education. I then returned to complete my Masters. While at UWA I tutored undergraduates in industrial relations and also lectured and tutored in industrial relations at Edith Cowen University.

I have been actively involved in the trade union movement for a number of years. In the mid 1980's whilst I was working in Kambalda I became the AWU Section Secretary. While studying full-time I worked for the Media Alliance (essentially the journalists union) as well as doing some work with APESMA (the land based engineers). I then secured a position with the CEPU – Engineering & Electrical Division (what many members would know as the ETU or the Electrical Union) as an Industrial Advocate. My duties included case preparation and presentation before the various state and federal industrial tribunals (including Industrial Magistrates Court, the Industrial Appeals Court and Federal Court). I was employed by the CEPU for 10 years.

I also became a 'Registered Industrial Agent' under the WA IR legislation and represented various private clients mostly in the health industry. After leaving the CEPU in 2004 I worked for a law firm in Fremantle as a Law Clerk but with my own area of practise in industrial relations. I joined the AMOU in late 2005.

National Marine Safety Conference Queensland

I recently attended the National Marine Safety Conference in Queensland. From a Unionists point of view the opportunity to network with the regulators and administrators was most rewarding. There is a DVD of the papers presented in the Sydney Union office, contact Mike Fleming for access. The following is a brief report back.

The paper I found most interesting was by Professor Michael Tipton on the essentials of sea survival. Basically he told us that we are doing it all wrong! For instance we are taught that during a rescue of the need to reassure the victim and tell them that all is well you are now in safe hands. Wrong! After a number of deaths post rescue it was found that by allowing the patient to relax and feel comfortable with the situation also shut down the body's natural instinct to survive.

So in future during a rescue there is a need to enforce the fact that they are not out the woods yet. It was also pointed out that a lot of survival equipment is packaged in such way that a survivor suffering from loss of peripheral dexterity would find it impossible to open the package. A panel discussion on Coastal Radio Communications brought some interesting stats to light by Christian Hiller. With the Federal Government's indecent haste to shut down the H.F. coastal stations prior to the States having an alternative up and running, during

a recent exercise four stations were called 55 times during one week. There were 45 no responses. So your only hope is that New Zealand picks up your call or delay the emergency until you are within VHF range during stations hours of operation.

A paper of great concern and most likely to have an impact on our NSW inshore members was by Craig Purdon, Manager Maritime Incident Investigations NSW. Basically his policy towards blame and punishment in an incident is a real worry in an era where the culture of most authorities leans towards cause and education. This attitude will create a bigger problem when NSW brings in the new Marine Safety Act. I would recommend that no member be interviewed without legal representation.

A paper of great interest to our Engineer Members was by Mark Eldon-Roberts at the AMSA Symposium. Mark discussed the ability of engine driver qualifications being able to progress to deep-sea qualifications.

He spoke in terms of exclusive club mentality and the need for shipping to access this pool of talent. The procedure they are working on to implement the program will follow the lines of the less than 500 tons method available to Deck Officers. When questioned during a

continued on page 27

2006 Legal Liability Insurance

The AMOU negotiated a very competitive rate for 2006. This insurance cover has been designed for situations where the member is providing services as an employee, permanently or otherwise, of another party. At present the AMOU is negotiating a new premium rate for 2007.

The annual premium for 2006 is \$329.73 as follows:

Premium:	\$275.00 per annum
Stamp Duty:	\$ 27.23
GST:	<u>\$ 27.50</u>
	\$329.73

or pro rata as follows:

9 months from 20/3/06 or any period from 19/6/06 to overall policy expiry (20/12/06)

Premium:	\$206.25
Stamp Duty:	\$ 20.42
GST:	<u>\$ 20.63</u>
	\$247.30

6 months from 20/6/06 or any period from 19/9/06 to overall policy expiry (20/12/06)

Premium:	\$137.50
Stamp Duty:	\$ 13.61
GST:	<u>\$ 13.75</u>
	\$164.86

3 months from 20/9/06 or any period up to expiry of the policy (20/12/06)

Premium:	\$68.75
Stamp Duty:	\$ 6.81
GST:	<u>\$ 6.88</u>
	\$82.44

NOTE: Full annual premium then required at 20/12/06 in order to renew this policy.

To apply for the Legal Liability Insurance please contact the AMOU on (02) 9264 2388 or download the application form from our website www.amou.com.au and post it to the AMOU.

Why I want to be a Captain

Written by a ten year old schoolboy and published in the 1993 March Maritime Officer

I want to be a captain when I grow up because it's a funny job and easy to do. Captains don't need much school education, they just have to learn numbers so they can read the instruments. I guess they should be able to read maps so they won't get lost. Captains should be brave so they won't be scared if it's foggy and they can't see, or if a propeller falls off they should stay calm so they will know what to do. Captains have to have eyes to see through clouds and they can't be afraid of thunder or lightning because they are closer to them than we are.

The salary that captains make is another thing I like. They make more money than they can spend. This is because most people think that captaining a ship is dangerous, except captains, because they know how easy it is. There isn't much I don't like, except girls like captains and all the girls want to marry captains so they always have to chase them away so they won't bother them. I hope I don't get seasick because I get car sick and if I get seasick I could not be a captain and then I would have to go to work.

Letter published in the Maritime Officer May 1993 edition in reply

When I am 10 again

Dear Editor,

Kindly include my answer to the ten year old schoolboy who wrote in the last publication of the Journal, "Why I want to be a Captain." I just hope the ten year old boy doesn't grow up and become a Shipowner – or we will all be in trouble!

When I am ten again (and by all accounts my wife and people that know me, think I'm almost there). I will be able to sidestep trouble and bullies at school, charm my teachers with my smart answers. I will also have the best and most heart rendering and plausible reasons for not doing my homework. Of course I would want the salary I have now to buy lollies for my mates and would have the largest model railway in the southern hemisphere for a boy of my age.

I would still pull my sister's hair because that's what sisters are for. I would not have to kiss my Aunt Mary's cheek with its five o'clock shadow when instructed to do so, because I would politely refuse with a smile and a slight shake of my angelic head. I would not imitate a hurt arm, claiming it a football injury when a pretty girl asked be for a lady's choice at a school social. But when that other little girl asked me to see her behind the bike shed; I would know that she had more than her new Malvern Star to show me. **David Lumb, Master - Kelvin**

Offshore Report

World Maritime Day 2006

On Friday 29 September 2006, John Wydell attended the World Maritime Day march and ceremony in Sydney. Seafarers assembled on the Eastern side of the old Pyrmont Bridge to make their way across to the Australian National Maritime Museum on the western side of Cockle Bay, Darling Harbour.

A number of speeches were delivered, followed by a wreath laying ceremony and refreshments. One of the speakers was Patricia Miles, Curator Economic and Commercial History with the Australian National Maritime Museum. Patricia's father, Captain John William Miles (1902-1984) was a member of the Merchant Service Guild. Captain Miles was a Master on BHP ships in World War II and was later Commodore of that fleet until his retirement in the 1960's. Patricia's speech was about Australian Merchant Naval Losses in World War II. I have included Patricia's speech below. I hope members enjoy reading it, as much as I enjoyed listening to it.

"According to the official war history of Australia, 30 merchant ships were lost by enemy attack in Australian waters, with 654 deaths. About 200 were Australian merchant seamen. These are the official figures. But it is difficult to put a number on Australian merchant mariners killed in the war. Seamen moved from ship to ship and went all over the world. Australians were present in the Mediterranean and the North Atlantic convoys, while many of the merchant seamen killed in Australian waters were of other nationalities: Greek, Chinese, American, Yugoslav, Norwegian and Dutch seamen all served in ships on the Australian coast. The Seamen's Union calculated 386 Australian deaths from all ships and all causes. But by 1989 the Australian War Memorial had compiled a list of 520 names of Australian merchant mariners who had died.

Because of wartime secrecy, and because the merchant navy had no institutional structure as the armed services did, and perhaps also because of derogatory attitudes to merchant seamen among some people in the community, who thought they were escaping real war service, the merchant navy's wartime role and losses were not so much forgotten, as never really recognised.

Australia's Official History of World War II comprises 22 volumes. Two volumes are devoted to the Navy. They mention merchant ships in passing when they are part of the navy's story. They contain a one page rundown on the merchant navy, and the only list of merchant ship losses is an incomplete one in a footnote. The two volumes on the war economy devote a large chapter to shipping, but as an industry. This looks only at large scale tonnages and statistics.

It was the Seamen's Union of Australia who first published a map showing east coast casualties in the *Seamen's Journal*, some time after the end of the war. The headline read 'War Secrets Revealed'. This alluded to the fact that the names of ships and the locations involved were almost never given in newspaper reports of wartime casualties. This may partly be why some of the worst tragedies, such as the sinking of some of the iron ore ships, were not better known, except among the families and shipmates of those affected, and the people in the coastal towns where survivors sometimes came ashore. Standard newspaper wording of the time described a spate of losses like this: 'one large and two small Australian freighters, one medium sized American freighter, one small Norwegian freighter.' And: 'Some survivors were brought to an Australian port'. (Although curiously, the names of crew members and even their street addresses were freely given in listing the dead or interviewing survivors.)

It is well known that merchant ships are a prime target for destruction in war. A crew member of a German raider in the southern oceans said, long after the war, that their mission had been to destroy merchant ships in the British trade routes, and to avoid engagement with naval ships at all costs. He said 'Every ounce of petroleum, every grain of wheat, every piece of war equipment that we could stop reaching the enemy would be so much nearer to starving them into submission'. And trained officers and crews were just as valuable as ships to their governments.

Early in the war, German ships laid minefields off the eastern and southern coasts. Four fields were laid between Newcastle and Sydney. Their first victims were the British cargo ship *Cambridge* off Wilson's Promontory, on November 7 1940, and the day after, the American merchant ship *City of Rayville* off Cape Otway. This was in fact the first American casualty of the war, in which the USA was not yet involved.

Then a month later, on 5 December 1940, the first Australian-registered merchant ship to be lost sailed into a mine off Norah Head on the Central Coast. It was a small motor ship of the North Coast Steam Navigation Company, the *Nimbin*, of 1,052 tons gross tonnage. It was on its way from Coffs Harbour back to Sydney, with a cargo of three-ply timber packed in bundles and a large number of pigs. One third of the ship was blown away and it sank in three minutes. Seven men were killed. The remaining thirteen clung to bundles of plywood which served as rafts, while the terrified pigs swam round squealing and trying to get onto the rafts but slipping off. After some hours an air force plane saw the survivors and directed another coastal ship, the SS *Bonalbo*, to

pick them up. An ambulance met them and rushed the injured to hospital. The rest, in clothes borrowed from their rescuers on the *Bonalbo*, were sent home by car. The newspaper report said there had been an internal explosion. Most of the *Nimbin's* crew were old employees of the North Coast Steam Navigation Company. Captain Bryanston and the Chief Officer Charles Chapman, who both died, had been with the company for 20 years and 26 years respectively.

After this the Navy cleared the minefields, but not completely because in March 1941 the Red Funnel Company's fishing trawler *Millimul*, of 287 tons, fished up a submerged mine in its trawl not far from where the *Nimbin* had gone down. The mine exploded and the ship sank in a minute. Five of the crew got into a lifeboat and stayed with the wreckage all night. They hoped to find the other seven men, including the captain, whose cries they had heard in the darkness. But in the morning there was no sign of them, so they rowed and sailed all day toward the coast. After 18 hours they were picked up by the sixty-miler *Mortlake Bank*.

The aim of destroying merchant shipping was evident in the campaign of Japanese submarine attacks off Australia's east coast in 1942 and 1943. Action concentrated around Darwin in the 1942 bombings, around New Guinea and islands where merchant ships were supplying fighting troops, and by far the greatest concentration around the New South Wales coast, where supplies vital for steel and munition production were concentrated and merchant ships were targeted for submarine attack. It was said that seamen called the iron ore ships 'death ships' because they sank so quickly. They believed the Japanese could single them out, even in convoys. Of the 19 ships sunk off New South Wales coast, all except the two mine victims were sunk by torpedoes or shells from submarines. They ranged from a British cargo ship of more than 8,000 tons gross tonnage, to a little fishing trawler of 223 tons. More than 150 seamen died in them, from 15-year-old deckhands to master mariners in late middle age. Most had no training for war. Many were pursuing the normal course of their livelihood. Although most ships were 'Defensively Equipped', the guns mounted on them were not very useful against submarines. They had only one or two naval gunnery ratings trained to use them, directing an amateur gun crew drawn from the ship's company.

The convoy system with armed escorts was hastily begun in June 1942, after the midget submarine attack on Sydney and the loss of two iron ore ships, *Iron Chieftain* and *Iron Crown*. It continued until 1944. But it was unwieldy, it slowed down cargo movement, and it was no proof against torpedo attack, especially for ships which fell behind. It did have the advantage that crews of torpedoed ships in convoys had more chance of being picked up and saved. This did not help BHP's ore carrier the *Iron Knight*, sunk in convoy off Bermagui in February 1943, with 36 lives lost. In a recent ABC documentary, the

only survivor now still alive, then a boy of 16, described how the ship sank in two minutes before his terrified eyes.

What sort of men were the merchant seamen who had these experiences? Most were ordinary everyday seamen, untrained for war, and unprepared for what befell them – usually an explosion in the middle of the night. There were countless anecdotes of courage, distress and fortitude. Wireless Operator Stafford went down with the *Iron Chieftain* in the icy waters of a June night while continuing to signal the ship's position to rescuers. Survivors said they owed their rescue to him. William Reid, master of the fishing trawler *Dureenbee*, shouted desperately to his attackers on the Japanese submarine that he was only a harmless fishing boat, but was answered by shells and bullets which shot the bridge away. Fifteen-year-old John Bird, a deckboy on the Norwegian cargo ship *Fingal*, was blown out of his bunk and into a hold when a torpedo struck. He came round in the sea, with his shipmates patting his bruised and cut face. A Norwegian steward gave the boy his place on an upturned lifeboat supporting many crew. The steward spent the next hour swimming about until they were picked up.

Watching a torpedo rushing towards them, and also seeing an attacking submarine surface and circle round the wreckage, were chilling experiences often reported by survivors. After their ship sank, shocked seamen from the *Iron Chieftain* crouched in their pyjamas on rafts fearing that they would be machine-gunned. The submarine cruised among them, its decks awash, before vanishing into the dark. Although 12 men from the *Iron Chieftain* were rescued after four or five hours on rafts, another 25 spent two days in a lifeboat before coming ashore at The Entrance. They were helped ashore by locals and sheltered in the houses with first aid, blankets and cups of tea. A local woman washed all their blackened pyjamas and rinsed off their lifebelts. Police arrived and arranged their accommodation in a guest house. Don Burchell, a 17-year-old seaman who had been rescued from one of the rafts and landed in Sydney, recalled in later years that he was given 'a large woman's coat and a pair of boots to wear on the train back to Newcastle'. In matters like this, naval personnel had a much different experience.

After the war some people argued that merchant seamen were well compensated for their war service by the war risk bonuses they were awarded. These were progressively increased by Union action throughout the war. The bonus varied according to destination of the voyage, and length of time with the same employer, rising to 50 per cent. The Deputy President of the Repatriation Commission, Jocelyn McGirr, in her Inquiry into the Needs of Australian Mariners in 1989, concluded that merchant seamen probably ended up about equal to their naval counterparts, when naval allowances, taxation, payment for food and accommodation, and other matters were balanced out. But she pointed out that all merchant

seamen, by virtue of their jobs, were always in areas of risk, while members of the army, navy or air force quite often went through part or all of the war at home bases without ever being in a field of combat. And while sea-going members of the navy generally went to sea in vessels designed for warfare, with armour plating and watertight sections, merchant seamen went to sea in ships not designed for warfare. In naval ships whole crews were trained to engage and fight hostile forces, and naval ships had crews up to five times the size of merchant crews, and carried medical staff and facilities. Most merchant ships were coal-fired and were considerably exposed both by day and night because of sparks and smoke trails visible for vast distances, unlike the predominantly oil-fired ships of the navy.

The McGirr Inquiry was held in order to examine the position of merchant navy veterans who were not covered by the same pensions Act as naval personnel. Its recommendations improved the position of merchant navy veterans in many respects. This process had started with the award of Merchant Navy War Service medals, and the inclusion of the merchant navy in Anzac Day marches

in the mid-1970s. But by the time the Inquiry's recommendations were implemented in 1994, the 15-year-old deckboys would have been in their mid-60s, while a seaman of 50 when the war ended would have been 100.

The often maligned BHP with its dreaded 'death ships' did at least pay formal tribute to the war service of the people who served and died in its ships. BHP's head, Essington Lewis, dedicated a plaque in a ceremony at the Newcastle Steelworks in 1950. This plaque is now part of a memorial to seamen on Newcastle's Foreshore. At least this was much needed recognition for these men, their families and their shipmates while events were still fresh. Other small memorials to merchant seamen from individual ships or places exist around Australia, but it was not until 1990 that the Merchant Navy Memorial was set up at the Australian War Memorial in Canberra, too late for most of the men whom it honours ever to see it."

This talk was based on a paper published in 1999: Patricia Miles, 'After the Battle of Terrigal: Merchant Navy Losses off the New South Wales Coast in World War II', *Bulletin of the Australian Institute for Maritime Archaeology* (1999), 23:67-74

Pan Australia Shipping Pty Ltd

Pan Shipping were the operators of *Boomerang I*. Pan Shipping has gone into voluntary administration. At the time of writing, the *Boomerang I* was at anchor off Wollongong and it is not known whether the business can be saved. Pan Shipping had hoped to set up a box boat service around the Australian coast.

Enterprise Bargaining Agreements

There are currently negotiations afoot for three Bluewater EBA's:

Hanson

Hanson and the AMOU have almost concluded an agreement for the *Claudia*. The parties are using their best endeavours to arrange a meeting to address the last substantive issue.

TT-Line Company Pty Ltd

The withdrawal of *Spirit of Tasmania III* has delayed the re-negotiation of the EBA for the Pursers and Shipwrights.

The issues arising out of the withdrawal of *SPOT III* are nearly concluded we will meet with Geoff Wood again in mid October 2006.

P & O Maritime Services

At the time of writing there had been four meetings with the Company. The negotiations are progressing well. Each of the parties wishes to replace the existing salary structure (which is very much a mismatch of ANL, Howard Smith and AMSA Salary philosophies) with a simpler salary structure. The Company are still working

on their proposal and the parties will meet again in the near future.

Review of AMOU Rules

The Executive Council has commenced a review of the AMOU Rules.

The reasons for the review include:

- ⇒ No one person may hold two positions;
- ⇒ The management structure of the AMOU needs to be more flexible;
- ⇒ Currently there are some aspects of the authority of the organisation that rest with the President and it is intended to shift some aspects of that authority to the Executive Council;
- ⇒ With the impending retirement of the current President, together with a number of vacancies and absent elected officials, the remaining members of the Executive Council wish to bring forward elections to the first half of 2007;
- ⇒ The Executive Council would prefer to see elections conducted in the first half of the year rather than the second.

Some of the main rule changes include:

- ⇒ Changes to the Composition of the Executive Council.
- ⇒ Currently the Rules provide the Executive Council shall be comprised of a President, Vice President, two Secretaries, the (Eastern, Southern, Central and Western) Area Secretaries and a number of Divisional Delegates.

-
- ⇒ Under the proposed Rule changes, the Executive Council would be comprised of a President, Vice President, (the Eastern, Southern and Western) Area Secretaries two National Delegates and four Divisional Delegates. In effect the two Secretaries would be replaced by National Delegates.

Changes to the established Areas of the Union

Under the proposed Rule changes the present four Areas would be reduced to three. It is proposed the Central Area cease to exist. The Central Area currently comprises the State of South Australia and the Northern Territory. It is proposed that the State of South Australia be added the Southern Area (Victoria and Tasmania) and the Northern Territory be added to the Western Area (Western Australia).

The Executive Council feels these changes are necessary for the following reasons:

- ⇒ The AMOU is small both in terms of the size of the organisation and its membership.
- ⇒ The replacing of the Secretaries on the Executive Council with National Delegates provides an additional opportunity to try and get younger members involved in the organisation.
- ⇒ In each of the last couple of elections the AMOU has not been able to find members to stand for the positions, for example the positions of Central Area President and Vice President. Combine that with the unexpected passing away of Martin Price, Central Area Secretary, the continued existence of the Central Area is considered difficult.

A draft of the proposed Rule changes was presented to the Executive Council at its August 2006 meeting. The Executive Council has authorised a number of amendments to that draft. The Executive Council will meet again in November to sign off on the draft Rules. As soon as this occurs the draft Rules will go out to a ballot of the members.

Transfer of management of Alcoa Ships

ALCOA operates the *Lindsey Clark* and the *Portland*. ALCOA have recently conducted a review of their shipping task. As part of that task ALCOA called for tenders for the management of the ships. ASP Ship Management ('ASPSM') was the successful tenderer. The *Portland* and the *Lindsey Clark* are to transfer to ASP on 2 October 2006. ASP Ship Management have made offers of employment to the officers engaged on those ships. ASPSM have agreed to continue to apply the terms and conditions of the Inco Ships Pty. Ltd./AMOU – Deck Officers Certified Agreement 2004. The current ASPSM EBA expires on 31 July 2007.

Seacare Review

In late 2004, Minister Andrews announced that the federal government was initiating a review of the Seacare scheme legislation. Ernst & Young were appointed to

undertake the review. The three maritime unions made a detailed joint submission. We understand that each of the maritime unions met with the consultants undertaking the review. The consultant reported to the Minister in about May 2005. As yet we have not received any decision by the Minister in relation to the recommendations contained in the Report.

Northwest Gas Carriers

The AMOU are continuing to negotiate with Trident LNG Shipping Services to conclude an EBA for the Northwest Gas Carriers. In our view the parties are not that far apart. When the EBA is concluded, it is intended that Trident will make offers of employment to Teekay Officers to transfer over to Trident with the vessels. That said, on the late afternoon of Friday 22 September 2006, the AMOU received an email from Peter French of ALSOC. Attached to the email was a fax sent by Peter French to the Northwest Shelf Arbitrator requesting the Arbitrator to convene a meeting of the parties "as soon as possible preferably in the week commencing 2 October 2006".

The parties met with the Arbitrator on Friday 2 October as planned. One of the issues to be resolved is the question of salary increases going forward. Unfortunately no agreement was reached at that meeting. The parties will meet again on Friday 13 October 2006. Between these meetings and in the spirit of the COA the Arbitrator has requested the parties to consider their positions.

Third Seacare Awards and Conference

This year, the Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority) will again be holding its Award and Conference events. The Seacare Conference and associated Awards Presentation Dinner will be held on Thursday, 26 October 2006, at Sumac, South Wharf Road on the Yarra River at Southbank, Melbourne.

The Conference will provide an opportunity to highlight OHS, rehabilitation and compensation issues of relevance to the maritime industry covered by the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act) and the *Occupational Health and Safety (Maritime Industry) Act 1993* (OHS(MI)Act).

The Conference and Awards Dinner will provide the ideal opportunity to recognise and acknowledge significant contributions by employers, operators, seafarers and others involved in creating and maintaining a safe maritime work environment. The event will be one of fun, entertainment and interest, featuring comedian Jean Kittson, as Master of Ceremonies and Peter Davidson, mobile intensive care flight paramedic with Rural Ambulance Victoria, providing a compelling presentation of his experience during the ill-fated 1998 Sydney to Hobart yacht race.

Both events will provide a further unique opportunity for all participants in the Seacare Scheme and in the Australian maritime industry generally to come together

to celebrate and learn from positive achievements in the scheme.

The Conference and Awards Presentation Dinner will be part of Safe Work Australia Week 2006, 22-28 October 2006. Safe Work Australia Week is designed to showcase the importance and commitment to safety by governments, employers and employees. All jurisdictions have agreed to undertake activities in support of Safe Work Australia Week.

The programme and registration forms for the Conference and the Awards Presentation Dinner are available on the Seacare website: www.seacare.gov.au

Further information can be obtained from the Seacare Management Group on (02) 6275 0700.

Manchester Unity Health Cover

Inserted into this edition of the Journal is a flyer produced by Manchester Unity in partnership with the AMOU.

Society of Superannuants (S O S)

With the abolition of the Superannuation Surcharge Tax, the members of S O S have decided to keep the organisation running. Whilst S O S is still trying to mop up Superannuation Surcharge Tax issues, the members of S O S are beginning to look at Retirement Incomes Policy.

As part of the consideration of Retirement Incomes Policy, the Society of Superannuants has lodged a submission to the Parliamentary Joint Committee on Corporations and Financial Services in relation to its Inquiry into the Structure and Operation of the Superannuation Industry. Copies of the Submission should be available on the S O S website.

Stybarrow Venture MV16

On Wednesday 13 September 2006, John Flood of Australian Mines and Metals Association ('AMMA') and Peter Keefe of MODEC made available to the AMOU a briefing in relation to the proposed Stybarrow project.

The project is located in the Southern Carnarvon Basin, off Exmouth, Western Australia or what is fast becoming known as FPSO alley.

The project is well underway. The project was sanctioned in November 2005. Shipbuilding started in February and the keel was laid in July 2006. A drilling rig is to be available in September 2006 and the installation of the offshore mooring is to start in January 2007. The ship is expected to be on the field in July 2007 and "first oil" in August 2007.

The FPSO will be located in 850 metres of water, making it the deepest water development in Australia to date. It also explains why an FPSO is required and not a platform.

The MV16 is currently under construction at the Samsung Shipyard in Korea. The MV16 is a double hull 140,000 DWT Tanker (Suez Max Type). This FPSO will feature a disconnectable SOFEC internal turret. Owing to the

characteristics of the project it will take 36 hours to disconnect.

The purpose of the briefing was twofold. One to provide us with a background briefing and the second to attempt to organise industrial arrangements. MODEC in conjunction with AMMA had produced a draft greenfields EBA for the project. MODEC expect to employ seven marine qualified persons. There will be three persons each swing (two swings equals six) and expect to employ a relief full time with swings arranged so as to fit the relief in. The proposed arrangements are fairly different to anything else so far. Manning is said to be based on a Platform model as opposed to a Marine model.

It is expected this project will provide a further opportunity for marine people to be cross trained as production operators so as to acquire the PMA02 Certificate. This is a nationally accredited qualification recognised worldwide.

The AMOU again met with John Flood of AMMA and Peter Keefe of MODEC on 4 October 2006. The AMOU is considering the company's latest proposal.

Maritime Education in China

In early September 2006, the AMOU was contacted by Francis Burgess, Associate to Justice Allsop of the Federal Court of Australia, to invite the AMOU to a discussion group and morning tea. Justice Allsop is one of a number of Federal Court Judges that preside over Admiralty matters. The topic of the discussion was Maritime Education in China. The discussion was lead by Professor John Chaojian Shi of the Merchant Marine College, Shanghai Maritime University.

Francis has a Master Class 1 Certificate and was a seagoing member of the AMOU before going ashore to do marine policy work in Queensland. Francis completed his legal qualification and recently commenced working for Justice Allsop.

The discussion was attended by Jim Mallows AIMPE, Ian Kerr of AMSA, representatives of the Company of Master Mariners, Waterways NSW, Shipping Australia to name a few. There is a view that Shipping and the Law are closely connected and the discussion also provided an opportunity for the two to meet.

Maritime Education in China is being undertaken on a large scale. In order to compare maritime education in Australia to that of China, I would suggest we would also have to look at it in terms of the populations of the countries. Chinese maritime education is well supported and is developing strongly.

In terms of the number of maritime education institutions, there are:

- ⇒ 8 universities, delivering a 4 year degree programme;
- ⇒ 14 colleges, delivering a 3 year higher vocational programme;

- ⇒ 3 secondary colleges, delivering a 3 year secondary vocational programme; and
- ⇒ 50 maritime training centres, delivering on the job certificate training.

In terms of the persons delivering the training, there are:

- ⇒ 1,726 staff involved in the delivery of the university and three year higher vocational programme, comprising
- ⇒ 737 Professors and Associate Professors;
- ⇒ 910 lecturers; as well as
- ⇒ 784 Certificate holders.

In terms of cadet annual enrolments, there are currently:

- ⇒ 11, 230 for the 4 year university degree programme and the three year higher vocational programme;
- ⇒ 1462 for the 3 year secondary vocational programme.

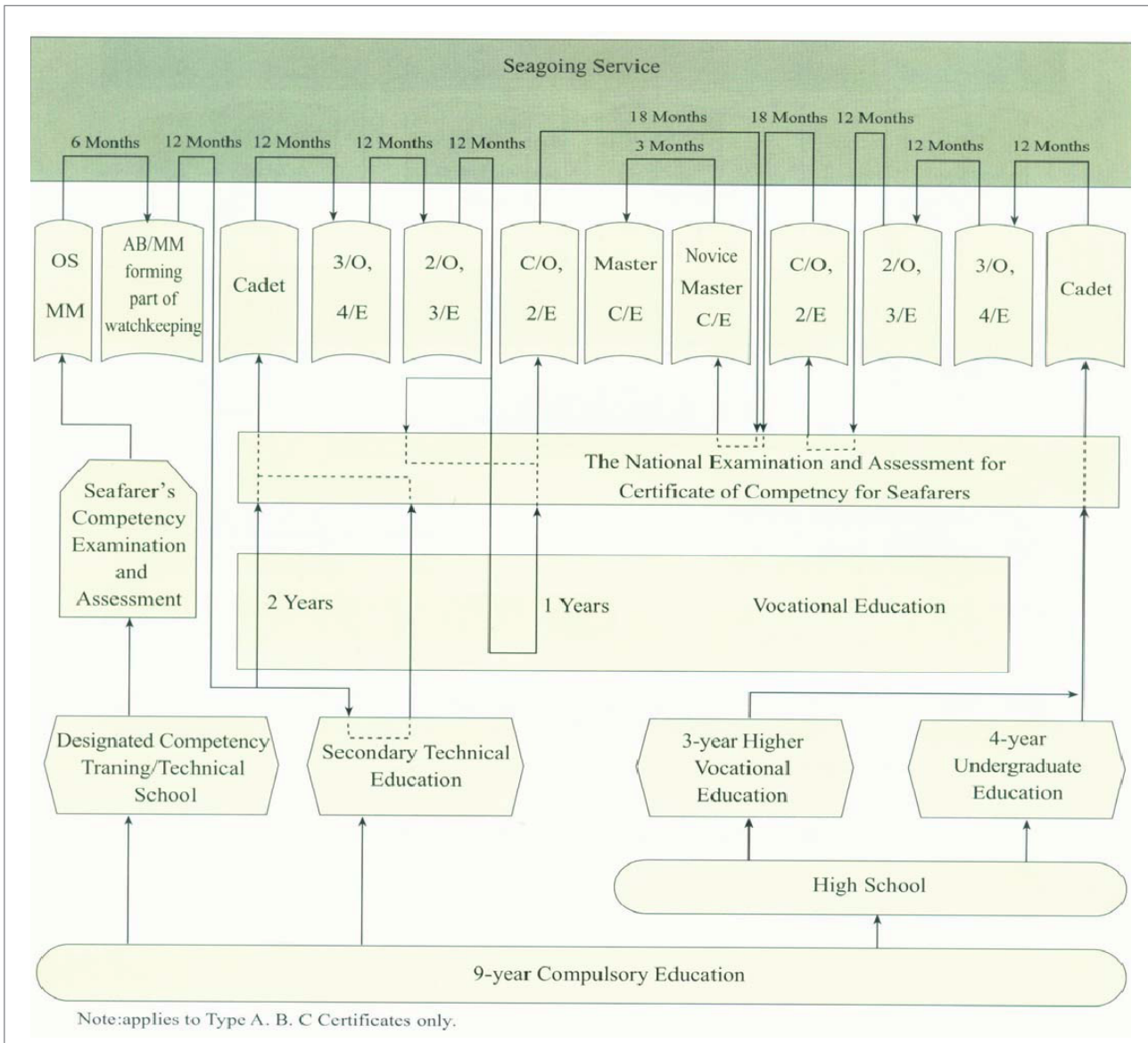
History of the growth of enrolments

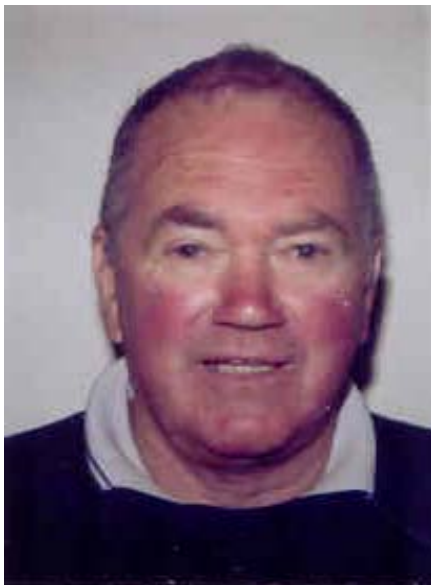
In 1996 there was just over 100 enrolments for each of the 4 year university degree and 3 year non degree programmes. Nine years later in 2005, there were just over 3000 enrolled for the 4 year university programme and just under 8000 enrolled for the 3 year non degree programmes.

Education and Sea Service Flowchart for Deck and Engineer Officers

There are currently 11 training vessels. John Wydell had an opportunity to speak with Professor Chi to get the Chinese experience in relation to retention of people going to sea. According to Professor Chi, the Chinese experience is persons upon obtaining their qualification, somewhere between 5 and 10 years later, cease going to sea anymore. Some take maritime related employment ashore and others go off and do their own thing.

China is not turning out sufficient numbers of officers to satisfy demand. **MO**





Horsey changes course

from *Portland Observer*,
Wednesday 2 August 2006

Howard "Horsey" Simmonds has retired after an eventful and eclectic working life in Portland. Journalist Shane Fowles spoke to him about his life and plans for retirement.

Howard "Horsey" Simmonds has tried a lot of interesting jobs in his 66 years; he has run his own boat as a cray and shark fisherman; slaughtered animals at an abattoir; acted as a probation officer; flown single engine aircrafts; and managed his own boutique winery. But for Howard, there is one vocation that stands above everything: a tugboat master. "I couldn't have picked a better job," he said. "Saltwater is in my blood. The freedom of being out at sea, and to look back and see Portland in a blaze of sunlight, well nothing compares." After 23 years of driving multimillion-dollar harbour tugs and guiding large ships in and out of the Port of Portland, Howard steered his life on another course by retiring on Sunday.

Being a tugboat master is a position he gives up with hesitation – "It was the hardest decision I have ever had to make" – but he will be taking plenty of great memories with him. He recalls a salvage job about 80 kilometres off the Discovery Bay coast, where he towed a ship to safety that had propeller and shaft problems. "It was too deep to anchor, and could have drifted into dangerous ground if we didn't tow it back."

The notoriously rough conditions of the Portland Bay have put Howard in peril on several occasions. While reluctant to give too many details about the incidents, he does describe an "awful crash" in the Portland harbour when his tug was nearly pushed under water. "I felt the tug being squashed between two ships and being pushed under – it was definitely the scariest experience I've had," Howard said. "But when you are manoeuvring heavy machinery, there are going to be incidents; it is just part of the job."

So is dealing with live animal export protesters, who had chained themselves to the winch of Howard's tug to stop a sheep cargo ship from docking in Portland. "I told them I hope you've got plenty of wet weather gear, this boat is going to Hobart in half an hour."

Howard was also involved in one of the largest industrial disputes in Portland, as a Maritime Union of Australia union delegate during the Borthwicks' abattoir's controversial final days in Portland. "I knew most of the guys standing on the picket line," he said.

After closing down his Kelso winery in 2005 – "The price the large companies are offering for fruit, we just can't compete with it; it is pushing boutique

wineries out of the market" – Howard now has more time for his recreational loves.

Despite hip and shoulder replacements and the need for a regulating pacemaker, he definitely has no intention of slowing down in his post-working years.

He plans to restore his vintage 1947 Packard car, get back into breaking in horses, buy a boat to get back on the water fishing, and maintain his beloved Kelso property.

Howard has also bought a caravan and car, and wants to travel around Australia and New Zealand in the future.

The man replacing him as the Port of Portland tug master has moved from Port Hedland in Western Australia to take up the role.

Howard sees it as confirmation there are not enough locals interested in making it in an industry dominated by older workers.

"It requires a lot of learning and excessive time at sea; I think (people) just think it is too hard."

For a man who has been a boxer, rodeo rider, and fullback for Heathmere until he was 40, it was work that was never too hard for him.

AMOU Footnote:

Information provided by Howard.

In 1978 Howard commenced with the Portland Harbour Trust in July as deck hand AB.

In 1983 Howard was promoted to tug master/slipway foreman – during the Brambles era.

Howard was promoted to permanent tug master in 1985, during North Western Shipping & Towage, and remained in that position until retirement on sixth August 2006.

Howard said "the Portland Harbour Trust, Brambles and North Western Shipping & Towage were all great employers, the job from start to finish was tailor made for me, I consider myself very fortunate to have had all of the opportunities the position presented over the past 28 years".

Back at work – make sure alcohol doesn't affect your health or safety

Alcohol is the most widely used recreational drug in Australia. One in two Australians aged 14 years and over consume alcohol at least once a week and many Australians think that getting drunk is an acceptable part of the Australian way of life.

Alcohol-related issues at work can occur in any industry, occupation or workplace and need to be seen in terms of our wider social and cultural attitudes to alcohol. Alcohol can affect work performance, occupational health and safety, morale and relationships at work. Factors at work and outside work can contribute to the use of alcohol or other drugs.

The Australian Drug Foundation (ADF) has developed a website, [alcohol and work ~ what everyone should know](http://www.alcoholandwork.adf.org.au/) <<http://www.alcoholandwork.adf.org.au/>> (www.alcoholandwork.adf.org.au/), where you can find:

- ➔ basic facts about alcohol and your health and safety
- ➔ why we should be thinking about alcohol and work
- ➔ information for employees and other workers
- ➔ advice for employers, managers and supervisors
- ➔ how to develop a workplace policy
- ➔ useful links and resources
- ➔ an “ask a question” function (new)
- ➔ where to get help and support.

For more information, visit the [alcohol and work](http://www.alcoholandwork.adf.org.au/) <<http://www.alcoholandwork.adf.org.au/>> website at www.alcoholandwork.adf.org.au.

Alcohol and work is a partnership between the ADF and the Victorian Department of Human Services (DHS) and is funded by the Alcohol Education and Rehabilitation Foundation (AER) Ltd.



2006 Wealth Creation Seminar Timetable "Money Matters"

Have you thought of starting or increasing an investment portfolio?

Do you want to know more about investment options such as shares and managed funds?

Have you thought of using the equity in your home to increase your assets?

Is superannuation the best investment for all of your life goals?

Would you like to have a better understanding about managing money and financial planning in general?

To book your place in one of the **FREE** seminars to the right please contact:

Member Services Centre on 1300 369 901.

Please note: Session commences 5.30 pm - 8.00 pm

2006 WEALTH CREATION SEMINAR SCHEDULE		
Date	Location	Night Seminars
22-Aug	Sydney Metro	Tuesday
29-Aug	Queanbeyan	Tuesday
30-Aug	Wollongong	Wednesday
05-Sep	Mudgee	Tuesday
06-Sep	Muswellbrook	Wednesday
06-Sep	Bankstown	Wednesday
20-Sep	Randwick	Wednesday
27-Sep	Fairfield	Wednesday
23-Oct	Albury	Monday
24-Oct	Wagga Wagga	Tuesday
25-Oct	Temora	Wednesday
26-Oct	Young	Thursday
14-Nov	Newcastle	Tuesday
15-Nov	Singleton	Wednesday
16-Nov	Cessnock	Thursday
29-Nov	Penrith	Wednesday
05-Dec	Dee Why	Tuesday
06-Dec	Parramatta	Wednesday

Port Services Report

Emergency Response in Victorian Ports & Westernport Safetywatch

Emergency Response in the Victorian Ports is under review following an announcement by Toll Westernport, managers of the Port of Hastings, that as part of an economic review of port operations it had decided to “de-man” the Safetywatch tug and have it “at call”.

Since the late 1960’s, Hastings has always had a tug manned and ready for immediate response to an emergency when tankers are operating in port. Current procedures enable the tug to attend a port emergency within 15 to 45 minutes; a performance standard we believe is accepted in most tanker ports worldwide. Claims are being made that this service is no longer required for Westernport due to improved tanker design, crew standards and the capabilities of ship and shore based fire-fighting systems.

Under the proposed arrangements the tug would be available on an “at call” basis with a delay claimed by Toll of “3 hours worst case” and called only for an emergency that is escalating, which we feel is a bit like closing the gate long after the horse has bolted. We believe any increased delay is unacceptable and that adequate resources need to be available in the shortest possible time to control an emergency promptly and help prevent escalation should ship or shore personnel and fire fighting facilities prove inadequate, fail or have been rendered inoperable by the emergency.

The outcomes in Westernport and Victoria may set precedence that could result in changes to emergency response services in other ports. As professional Mariners do you think it is reasonable to expect a tug to be available to tankers in port in the event of an emergency? And if so, in what time frame? Members, particularly current serving captains of tankers, are invited to write urgently to the Victorian branch of the AMOU to provide input and comment on this matter. Please also feel free to give the author a call for more information.

The Port of Hastings Emergency Management plan developed with stakeholders in 2004 identified 33 hazards to the port, including such things as severe weather, marine collisions and groundings, fire or explosion on a vessel or ashore, bomb or terrorism threat, many of which in our opinion would see a Tanker’s Captain seeking the urgent assistance of a tug.

The Westernport tugs are 50 Tonne bollard pull Z-Peller / Azimuthing Stern drive variety with A-Class fire fighting capability. Over the recent decades reviews by Government and port stakeholders have all resolved to

maintain the emergency response tug service and increase its roles in line with developments in Australian and international tanker industry and port standards. The official role of the Safetywatch tug has evolved from one of just fire-fighting support to that of also providing tug escorts for tankers transiting port waters, emergency towage to assist tankers depart the jetties in the event of an emergency, hold-up towage in severe weather, pollution control as well as waterborne support to the emergency response CFA (Country Fire Authority crews) who respond to port emergencies.

The Unions and members employed by Adsteam Harbour (the current towage provider in Westernport) were not consulted prior to Toll’s announcement despite the significant procedural and possible employment arrangement changes that may be necessary to provide such a service. We were advised by letter from Adsteam stating that Toll had made the decision “after extensive risk analysis and consultation with customers and regulatory authorities”. So from the outset the exclusion of employees and other stakeholders from consultation has been clear. We commenced a process of asking current serving tanker Captains, Pilots, Ship Managers, a number of major Port users (oil companies), representatives of the Emergency Response Services and the Victorian Government itself whether they had provided input to Toll and found almost without exception that these major stakeholders had not been consulted. Whilst some were aware of a “commercial review” being undertaken by Toll they were unaware that Toll had decided to reduce emergency response resources in the port by such an extent.

The Unions believe Toll is misleading those who were involved in the decision and other stakeholders by failing to provide adequate information regarding all the hazards to the port and all the capabilities of the tugs. We also feel Toll are making misleading representations; in a report provided to port stakeholders regarding the decision to dispense with the immediate availability of the tug, it is claimed that the service “appears unique, at least in Australia, to the port of Hastings” which may lead parties who are none-the-wiser to believe that no tanker ports in Australia or perhaps even overseas have emergency response tugs available immediately. However, a simple look around Australia and overseas confirms that tugs are in fact available in almost every tanker port generally within a matter of minutes and in worst case scenarios usually within an hour of a call for assistance being made.

Other statements that are misleading in our view included claims that a “raft of new regulations” introduced in the

tanker industry in recent decades has led to a reduction in risk through improvements in tanker design and safety as well as crew training and competence, such that it is now widely accepted to rely on the ship's own emergency response capabilities and only have tugs at-call.

Whilst there have been some significant improvements in tanker design and safety in recent years, we also believe most people familiar with the shipping industry today would express grave reservations about relying on these factors and claims of improved crew training and standards to prevent an emergency from occurring or escalating.

The Unions presented a submission to Government detailing our concerns about the decision and the process undertaken to reach it. We feel that the increasing number of serious incidents being reported worldwide demonstrates that mechanical failures continue to occur even on the newest of ships and human error can not be engineered out, so adequate emergency response preparedness remains essential and emergency response preparedness should be improved rather than diminished.

The Masters, Engineers and I.Rs all have serious concerns that the delays will cause increased risk through unnecessary escalation of the emergency. We also have serious concern regarding who will man the tugs and that this would be done on an ad-hoc basis should nominated crews not be available on rostered duty. Will a crew be available that is qualified, trained and familiar with their workplace, the tug and all its machinery and equipment?

Will they have participated in drills and training in accordance with regulations and will they comply with provisions of fitness for duty requirement to drive to the port and commence protracted safety critical emergency response duties? Can we rely on each other's skills and knowledge in times of critical importance? Will the crew even arrive in time or will access roads to the port be shut off for public safety preventing the crew reaching the tug as has already happened on other occasions? The AMOU has concerns that Masters may be placed in situations where standards are compromised to achieve an emergency response.

Marine Safety Victoria investigated Toll's proposal and stated they had serious concerns of environmental, safety and operational nature. As a result the Victorian Government requested Toll to undertake a "thorough and robust" process of consultation and risk analysis prior to making any changes.

We believe it is essential that current serving Tanker Captains, Pilots, Tug Masters, Ship Owners / Managers, Ship Underwriters, local community and environmental groups must have input into the risk analysis and consultation processes to ensure valid arguments are used and standards that are acceptable are adopted to ensure procedures and resources to manage all risks to the port are in place. To date that has not happened.

Despite the volumes of codes, guidelines and regulations that the Maritime Industry works according to, we have identified that there is a lack of emergency response standards and guidelines for ports to coordinate the land based Emergency Response Services (ERS), including the Metropolitan Fire Brigade in Melbourne and the Country Fire Authority in Geelong and Westernport) with the Marine service providers (tugs). This in turn means there can be wide interpretation of what constitutes adequate risk management and we feel Toll is taking advantage of this to unreasonably cut costs at the expense of safety and the environment.

Parts of an exchange of correspondence between the Westernport Harbour Master and the AMOU recently found their way into a media article which is reproduced here for member's interest. The AMOU is concerned about the level to which Toll, as port manager may be willing to reduce emergency response standards for the sake of cost cutting exercises. We believe that by suggesting that mooring lines can be let go and tankers simply set adrift regardless of "whether they have engines or not" with no tugs in attendance Toll appears to be working harder at referring the risk to other stakeholders rather than reducing it in a manner stakeholders would expect.

ISM is meant to be about proactive risk management for the benefit of safety and the environment isn't it? It must be asked, is this a well considered review of port emergency response requirements, or is it perhaps a case of individual managers attempting to obtain larger personal bonuses by taking a gamble that nothing will go wrong in the brief time they remain in their current position, leaving those of us in the industry, the community, Government and the environment to suffer the legacy of increased risk and the potential results.

The Office of the Emergency Services Commissioner (OESC) in Victoria is conducting a review with the MFB and the CFA into their emergency response requirements for the Victorian Ports, providing a welcome leading role. We hope this will help define minimum service level requirements on which contracts may be negotiated with service providers, necessary resources can be identified and then operating procedures developed. The AMOU believes a more standardised approach is necessary with agreed minimum standards that help Masters comply with proper emergency response requirements whilst ensuring their legal responsibilities are met.

A workshop is planned with Adsteam, the ERS and Marine Safety Victoria, through which we will seek to establish these minimum common standards. We aim to incorporate the training, equipment and procedural requirements of the Victorian ERS with our own to help ensure a professional service is provided and relevant State and National Maritime legislative requirements are met.

Bill Korevaar
For and on behalf of the AMOU
0410 637 636

“Port Safety, Hasting Independent News Tuesday September 5, 2006 - By Keith Platt

Questions have been raised over the safest action to take if a fire or other emergency threatens tankers moored alongside jetties in Westernport.

Harbourmaster Captain Dick Cox of Toll Westernport says casting off lines holding the tankers will reduce dangers by enabling ships to float away from the dock. However, Bill Korevaar of the Australian Maritime Officers Union sees the comments as being “grossly misleading”.

“..It appears that Toll are now suggesting that simply casting a tanker adrift without control is an adequate emergency response procedure and that letting it run aground presents the port with no appreciable increased risk to person, property or environment,” Mr Korevaar said. Toll Western Port is locked in a battle with the Australian Maritime Officers Union and community groups over its plans to increase the response time of firefighting tugs from 20 minutes to three hours.

“The small LPG tankers could be let go with or without engine power and no matter where they ended up it is difficult to imagine what further problems they could cause, they could also be assisted by the emergency small craft located at the jetty,” Captain Cox said. The exchange between the two is part of an email being circulated to State government departments and members of a port consultation committee. In June John Rogan, the Department of Infrastructure’s executive director freight, logistics and marine, asked Toll to delay reducing the fire tugs’ role until after “undertaking a robust and transparent risk assessment”.

He said a report prepared for Toll on which it had based its decision was inadequate. Hastings MLA Rosy Buchanan last month walked out of a meeting with Toll, declaring that it was ignoring the government’s instructions. She has organised a “stakeholders” meeting to discuss the issue later this month.

Comments from Captain Cox in the email list explained safety checks made to vessels moored in Westernport and outlined how the port’s design enables tankers to be cast off in case of emergency. Mr Korevaar said tankers’ crews may not always be able to help during an emergency or there could be damage to ship’s engines or steering equipment. “Setting a tanker adrift without its own power and without a tug connected and ready to tow it clear will almost certainly see the tanker driven aground by the tide and wind,” he said.

“The very real possibility of pollution through the ship’s fuel oil tanks leaking due to hull and/or structural damage as a result of grounding should make a course of action involving letting a tanker go or setting it adrift from a jetty in an uncontrolled manner totally unacceptable to the port manager and stakeholders other than as an absolute last resort when all normal emergency response alternatives have failed.”

Port of Melbourne Corporation

The AMOU and APESMA have secured an in-principle agreement with the POMC which, by way of an intended Deed of Agreement, will effectively extend the terms and conditions of employment that are contained in the current Port of Melbourne Corporation Enterprise Agreement by a further 12 months.

This Deed is to be created in order to provide an amended time-frame for negotiations of a replacement “Workplace Agreement” which will avoid a possible timing conflict with the Corporations’ amalgamations and relocation of its offices, as well as the commencement of the major channel deepening project.

The Deed specifically preserves the existing employment entitlements, including the right of review of the individual’s position description and salary level classifications, and in addition it provides for all employees a four percent salary increase.

Towage

Port Lincoln Tugs/AMOU Tugmaster’s Agreement

Coastal Tug & Barge Pty Ltd has agreed to increase the annual salary rates applicable to the Company’s South Australian based Tugmasters by 4%, effective from January 2005 and 2006.

This agreement recognised the ongoing application of the terms and conditions contained in the 2003 AMOU/Port Lincoln Tugs Pty Ltd Enterprise Agreement and further commits to the development of a Workplace Agreement which is intended to become operative from January 2007.

A separate agreement, the “AMOU/Coastal Tug & Barge Pty Ltd Enterprise Agreement”, was certified by Commissioner Raffaelli on 2 May 2006. This EBA is applicable to the Darwin based Tugmasters and provides for annual increases of 4% together with an additional 2.9% increase in consideration of the introduction of the 50 tonne towage capacity tug *Marrakia* (ex Sydney *Warrawee*).

Teekay Shipping/

AMOU Port Hedland Tugmaster’s Agreement

Following protracted discussions between Teekay Shipping and the three maritime unions, separate union four year workplace agreements are now being finalised. In addition to this agreement, which is to become operative from lodgement with the Office of Employment Advocate (OEA), the parties have also recognised the continued application of specific employment related issues that are not provided or allowed for in the new workchoice legislation.

A revised “port practices” document has also been finalised which together with the Workplace Agreement and “side letter” provides members with an overall significantly enhanced total employment package.



Self-propelled cutter-dredge "Leonardo da Vinci"

Teekay Shipping –

AMOU Haypoint Tugmaster's Agreement renewal

Further negotiations are now set to resume on a new Haypoint Tugmaster's agreement following the completion of the Company's Port Hedland agreements. Initially discussions were held over two days at Haypoint, however, given that AIMPE decided not to be party to joint negotiations Teekay was somewhat reluctant to address the members' claims relevant to the significant increase of coal exports from the port.

Adsteam/AMOU Tugmaster's Agreement

Following the successful conclusion and certification of the "Adsteam Harbour/AMOU Enterprise Agreement 2006" several ports are now finalising their revised port practice agreements.

Salary increases achieved as part of the new EBA varied within the ports as a consequence of growing competition, increased towage in some ports, and diminishing trade of specific vessels in other ports.

Adsteam/AMOU Darwin Tugmaster's Agreement

Consistent with an undertaking between the company and AMOU an in-principle agreement is now to be finalised for a "stand alone" Workplace Agreement covering the employment arrangements applicable to the Darwin based Tugmasters. This operation is to provide stand-by safety watch and towage services using the purpose built 55 tonne bollard pull tugs *Adsteam Genga* and *Adsteam Larruka*. This agreement recognises the planned buildup of LNG exports from the Conico Phillips terminal and as such will provide for programmed upgrading of entitlements in line with the increase of towage and standby services performed.

Australian Maritime Services (AMS)/

AMOU Port Botany Tugmaster's rostering

AMOU is continuing to press for an increase to the Tugmasters employed by the company at Port Botany as a consequence of increased duty and fatigue issues. Further meetings have been scheduled in order to address the specific problems of fatigue management and the efficient ordering of service requirements etc.

Northern Reef gets Cairns-based emergency towing vessel

(This article first appeared in the Lloyd's list Daily Commercial News 30th August 2006 edition.)

Federal transport minister Warren Truss commissioned today (Tuesday, August 30) the 64-metre emergency towing vessel *ETV Pacific Responder* to be based in Cairns. Mr Truss said that unlike in most other regions none of the available tugs in the northern Great Barrier Reef was suitable to carry out ETV tasks.

"The Australian Government, for this reason, has agreed to fund the *ETV Pacific Responder* to service the northern Great Barrier Reef and Torres Strait areas. This is the only vessel of its type in Australia and will spend the majority of its time patrolling at sea."

"Australian Maritime Systems Ltd working with Swire Pacific Offshore, has won an eight-year contract to provide the services managed by the Australian Maritime Safety Authority." "The emergency towage component of this contract is about \$9m per annum. This will be collected from the shipping industry through the Protection of the Sea Levy."

"To offset the vessels operating costs, the *ETV Pacific Responder* will also be engaged in services to maintain



Left: AMOU Industrial Officer (VIC) Steve Groves standing under drag head of trailer-suction dredge “Fairway”

Below: The “Fairway”



the national navigation aids network in the region. However, the ETV tasks will always take precedence over maintenance duties.”

The minister’s wife, Lyn Truss, unveiled the name of the vessel as part of the commissioning.

Dredging

2006 has been a significant period for the dredging industry with several major projects being commissioned at Dampier, Port Hedland, Weipa, Haypoint and Brisbane.

Boscalis Australia completed a 2.7 million cubic metre six month dredging project at Dampier in March. Their trailer-suction dredge *Cornelus Zanen* was the principle dredge used to carry out this work.

The company also anticipates completing a new 14.9 metre departure channel at Haypoint by the end of October. Having dredged approximately 10 million cubic metres of material the trailer-suction dredge Fairway is expected to be demobilised to Singapore where it is expected to undergo dry docking etc.

Van Oord having completed the Weipa Channel widening and deepening project in August, have now redeployed their trailer-suction dredge *Volvox Asia* to the Sandsupply project at Fisherman’s Island in Brisbane. This reclamation project is expected to be completed by the end of October.

Jan de Nul is currently dredging at Port Hedland using their self-propelled cutter-dredge *Leonardo da Vinci*. This project which commenced in July is expected to take 8 months to complete and, involves the development of a product storage area and the creation of a turning basin for the Fortiscue Minerals Group.

The AMOU has secured a project specific workplace agreement with Offshore Marine Services who are the principal employer of members engaged on this project.

Shipwrights’ retirement

With the withdrawal from the Sydney to Devonport service and subsequent sale of the *Spirit of Tasmania III* by TT Line, Shipwrights Norm Percival and John Henderson have swallowed “their anchors” and retired. As long serving AMOU members they have a combined service within the industry of in excess of 70 years. Norm started his seagoing service on the *Iron Flinders* in 1966, and John on the *Lake Boga* in 1970 after escaping from UK service on the P&O passenger ships. As committed unionists initially with the Shipwrights Union before “transferring” to the Guild (MSG) both Norm and John have assisted numerous fellow seafarers in achieving their current benefits etc. During the last voyages of *Spirit III* TT Line and their fellow crew members have expressed their appreciation and best wishes to both members in their upcoming retirement.

Left to right: Norm Percival and John Henderson



Maritime Safety Queensland

In March this year the AMOU entered into negotiations with Maritime Safety Queensland to renew the 'Maritime Safety Queensland Maritime Operations Certified Agreement'. The 2006 agreement will describe salaries and employment arrangements for AMOU members classified as Marine Safety Officers, Maritime Operations Officers and Managers and Vessel Traffic Services Operators.

In the last week of September the AMOU reached an 'In Principle Agreement' with MSQ and in doing so guaranteed pay increases of 12% over the three year life of the agreement. The 'In Principle Agreement' followed a Ballot of AMOU members and the result was that 70% of members voted and 90% of those who voted then voted in favour of the agreement. The AMOU has over 90 members covered by this agreement. AMOU members rostered for out of hours 'On Call' duties will now receive a 39% increase in the on-call allowance. Training programs for VTS Operators were revised. Salary progression for VTS members is determined by achieving additional training and higher qualifications.

Over the last 12 months a review of the employment arrangements of Marine Safety Officers was conducted by Thompson Clarke Shipping Consultants. The findings of this review are currently the subject of a project system involving AMOU members and MSQ management. These projects will be completed within 6 months and then the agreed outcomes will result in the renegotiating of the Marine Safety section of the agreement.

Many thanks to all AMOU MSQ delegates who helped throughout the negotiations.

Stradbroke Island Ferries Agreement

Negotiations towards a new agreement for AMOU Masters and Engineers were finalized in the last week of September. The negotiating process was lengthy and complicated, due to changes brought about by the Federal Government's 'Workchoices' employment laws and the Company's requirement to restructure the rostering arrangements of the crews.

The 2006 agreement will have a three year term and will include three x 4% aggregate salary increases and is based around a seven day fortnight (as opposed to the current 12 day) with increased shift lengths that comply with STCW conventions. The AMOU has negotiated the introduction of an aggregate salary replacing the previous wages and overtime system. Superannuation for AMOU members will now be calculated on the entire aggregate salary. The agreement will be voted on by the members in mid October. *Thanks to our AMOU delegate at Stradbroke Island Ferries, Bob Francis for his tireless assistance throughout the negotiation period.*

Darwin Port Corporation Agreement 2006

The Darwin Port Corporation (Northern Territory Public sector) Maritime Unions Collective Agreement 2006–

2008 was lodged with the Office of the Employment Advocate on 28 September and finalised five months of negotiations between the AMOU, MUA, the Darwin Port Corporation and the NT Industrial Relations Department.

The two year agreement includes two x 4% salary increases. The working arrangements for AMOU members who are Pilot Launch Masters were successfully changed from an on call arrangement that was becoming untenable due to fatigue issues, to a fixed time 12 hour roster, and is expected to improve the work life balance of the pilot vessel crews.

These arrangements are expected to commence within the next six months once approval for increased staffing requirements are received from the NT Government. A significant achievement for the entire Darwin Port Corporation was made with the change to Long Service Leave being calculated at the same level as Annual Leave, not as it was previously on the base salary level. *Many thanks go to AMOU delegate at Darwin Port Corp, Kevin Harvey for his assistance during negotiations.*

Townsville Port Authority

The AMOU has two separate collective agreements with the Townsville Port Corporation on behalf of members employed as Port Service Workers and for those employed in Administration and Supervisory roles. They remain in force till mid 2007.

Over the last few years in Queensland, substantial delays occurred in gaining approvals from the Queensland Government to commence collective bargaining to renew agreements in the Queensland Public Sector. This has resulted in a reduction of negotiating time available to the parties prior to an agreement reaching the end of its term. Therefore the Queensland Department of Industrial Relations is currently asking all unions with Public Sector and Government Owned Corporation agreements to commence negotiations, up to a year prior to agreements reaching the expiry date.

Preliminary work has now commenced towards gaining Queensland Government approval to start the negotiation process for the two Agreements at the Townsville Port Corporation.

Gladstone Pilot Launch Crew Agreement

The AMOU agreement with Maritime Safety Queensland concerning employment arrangements of the Gladstone Pilot Launch crew is being renegotiated. This three year agreement is expected to deliver a 12% wage increase over the covering period and also clarify some employment arrangements that our members carried over with them from when they were previously employed by the Gladstone Port Authority.

Pilotage transfers at Port Alma are no longer being conducted by MSQ operations AMOU members and have now been taken over by the Gladstone Pilot Launch crew. This has resulted in AMOU members at Port Alma



Stradbroke Ferries "Escape to Stradbroke"

transferring over to Pilotage and the addition of another crew member Mr Rick Wakefield.

Thanks to AMOU delegate Mike Farrar who has recently left to join the Tug fraternity at Gladstone as a Tug Master, for his work as AMOU delegate, and welcome Ken Cutmore into the role.

Merchant Service Guild Queensland Renamed

Since 1921 in the Queensland Industrial Relations system the AMOU state registered legal entity was known as the 'Merchant Service Guild of Australia Queensland Branch, Union of Employees'. In February 2006 the MSG Qld Committee of Management passed a resolution to apply to the Queensland Industrial Relations Commission to change its name to the 'Australian Maritime Officers Union Queensland'. This was approved by the Commission on 26 May 2006 with no other organisations objecting.

Fantasea Cruises Whitsundays

Earlier this year Fantasea Cruises, Australia's third largest passenger ferry operation based in the Whitsundays was sold to Riverside Marine. Fantasea Cruises founder David Hutchen remained at the helm as Managing Director for several months after the purchase to ease the transition period. Riverside adds Fantasea to its Passenger operations which include Sydney's Palm Beach Ferry Service and the Darling Harbour Express. They also operate Townsville ferry operations which include the Magnetic Island Passenger and Car Ferry and Palm Island Barge Service.

Cruise Whitsundays

Cruise Whitsundays have acquired two new 19metre catamarans capable of 25 knots that are now operating an inter-Island/Hamilton Island Airport transfer service in competition to Fantasea Cruises. This fills a Gap left when Whitsunday All-Over Ferries went bankrupt several years ago and were taken over by Fantasea Cruises.

Quicksilver Connections Cairns

Quicksilver Connections part of the Quicksilver Group of Companies Cairns is taking delivery mid December of

a second vessel built by North West Bay Ships Tasmania. These are specialist dive boat 30 metres LOA and have a top speed of 31 knots. The first is already in service operating daily dive cruises out of Port Douglas to Quicksilver's pontoon on Agincourt Reef. This new as yet unnamed vessel will replace the Cairns based vessel *Silversonic* that is currently on the market. Sydney members would be familiar with another North West Bay Ship, Blue Line Cruises *Simply Magistic*.

Sunferries Townsville

Our Sunferries Delegate Dave Kinsela has retired recently due to health reasons and will be a hard act to follow as the Sunferries AMOU delegate. He was instrumental in helping achieve the company's first Union Agreement last year. *I would like to thank Dave for all his work and wish him the very best.*

The AMOU has been negotiating another agreement on behalf of members employed in a separate Sunferries operation that conducts dive trips from Townsville to the outer Reef. This process has recently hit a snag with the company refusing to continue negotiations and offering AWA's in line with the new 'Workchoices' legislation. Several non AMOU members have taken up these AWA's but AMOU members are pushing to recommence negotiations. The AWA's in question offered conditions substantially lower than other Sunferries employees enjoy, and also less than the agreement under negotiation at present. **MO**

The following was spotted on a Chinese ship in Gladstone:



Blue Line Cruises “Simply Magistic”



Cruise Whitsundays “Swordfish”



Gladstone Pilot Launch and Crew



Stradbroke Ferries “Minjerribah”



Quicksilver Connections “Silversonic”



Captain Martin Price



4/4/47 - 7/9/06

Eulogy

“Good morning and thank you for attending this gathering in celebration of the life of our friend and colleague Martin Price (held in Adelaide Monday 18 September 2006).

Martin and I were close friends for a long long time.

I first met Martin when a very young second mate came into the National office of the Merchant Service Guild and met an even younger Research Officer.

Martin wanted his union to know that the Officers working on the Associated Steamships coastal container ships on which he was serving were being paid less than other crew members.

He told me that he thought this was not right and he had discussed this with his fellow Officers and was going to do something about it.

Martin had inherited a strong sense of fairness and justice from his father and from his experiences as a seafarer. This stayed with him for the rest of his life.

Martin was a mate who could make and maintain close friendships over a lifetime. A man is often judged by the quality of his close friendships – Martin passed with flying colours.

Martin’s great obsession was his profession. His appointment as a Marine Pilot many years ago was one of the proudest moments in his life.

He really did live and breathe it and he was also very good at it.

Martin completed his apprenticeship as a Deck Officer with Associated Steamships on 13 of January 1967. ASP was in those days the shipping successor to the famous Adelaide Steamship Company. He resigned from ASP on 17 April 1975 to ‘swallow the anchor’ and come ashore.

After a brief time on the Adelaide tugs – some Tuggies still say too brief – Martin was appointed as a Marine Pilot in the South Australian Pilot Service.

Martin was then to achieve the positions of fully licensed unlimited Marine Pilot, Harbourmaster in the outports, Adelaide Pilot, Check Pilot and more recently Senior Pilot.

For those of in the Maritime Industry with long memories we can safely and proudly say that Martin is the last in a line of distinguished Master Mariners and Marine Pilots from South Australia and his name can be recorded with distinction alongside those of Captains Norman Carr, Oscar Lansbury, Paul Morris, Jim Morley, Graeme Wilson, Peter Hoyles, Phil Hammond, Bob Buchanan, Gus and Brendan Bergland and Peter Shipp.

A remarkable achievement.

Martin gave an extraordinary amount of his free time to promote the cause of his profession and in improving the living standards of his workmates.

Martin was a honorary official of the Australian Maritime Officers Union and its predecessor for the last thirty years

He did make a difference and the results of his outstanding contribution can be seen today in the professionalism and the living standards of those who work in the South Australian Port Services Industries. The Pilots, Tugs, Pilot Boats, Port Control, Mooring Services and Port Administration.

The Maritime Industry has lost one of its own.

I have been contacted by a large number of Maritime Industry friends and colleagues who have asked that their thoughts be passed on to you today.

To those from the Maritime Industry I want to let you know that the AMOU will be organising an industry function. We will contact everyone in due course with the details.

Fair weather and safe passage Martin.”

Michael Fleming

Director

AMOU Port Services Division

John Walter Martin Edwards 1939 - 2006



John Edwards (left) being presented his life membership in 1994 by Bob Roest (right)

John Edwards was an active longtime Merchant Service Guild/AMOU Official. He was the Victoria and Tasmania Branch Vice-President in 1993. John worked as a Tug Master and one of his last positions was at Melbourne Tug Services.

John was made a Life Member of the AMOU when he retired in 1994. It was a unique event because he was presented with the “first” life membership of the AMOU by Bob Roest who was the “last” member awarded life membership by the Merchant Service Guild of Australia.

Captain Roy William Gower 1/9/1925 – 26/9/2006

Captain Roy William Gower passed away on 26th September 2006 aged 81 years.

Roy went to sea in 1941 as deckboy on the *Winchester Castle* which was a troop carrier. He was in the war zones many times in convoys and landings at the tender age of only 16! He recounted many war time incidents, one story of the sister ship, *Warwick Castle*, being torpedoed only a few hundred yards away from him. Roy was on the *Winchester Castle* til the end of the war.

After the war Roy studied and gained his certificates. He came to New Zealand and Australia on a Liberty ship, the *Coralstone* and saw that this was the place to be! Roy joined the *Union Coy.* as third mate in 1950 and served as Master from 1963 to his retirement in 1988. He was Captain of the Seaway ships for many years, his last ship being the *Seaway Melbourne*. Roy was well respected for his ship handling skills and devotion to his job. He was also a great family man and a wonderful father.

continued from page 5

TasPorts

the differences between Hobart and the northern ports are marked. A large fishing fleet works out of Hobart day and night and there is considerable recreational and ferry traffic moving at all hours whilst the northern ports tend to be largely pilotage size ships in industrial settings.

The details of the amalgamation are being systematically addressed but some obvious issues yet to be resolved are the development of a state wide record system and the need to provide equality in pay for people performing similar tasks. However what is apparent is that TasPorts continues the progression away from the old Marine Board notion of port operations into a more modern concept. One hint of the future is a comment recently attributed by Lloyds List to the current CEO - that of possible port specialisation - Burnie dealing with bulk minerals, Devonport ferry traffic, Bell Bay containers and Hobart cruise and Antarctic shipping.

There is an old adage “*we are cursed to live in interesting times*”. Change is inevitable and gathers pace in this modern world. It has become the normal state of affairs in many occupations and staff must try to embrace things as opportunities rather than threats. Personally I believe the formation of TasPorts at the beginning of the year was undoubtedly a correct step that should benefit the state owned commercial port facilities and Tasmania as a whole.

MO

continued from page 8

National Marine Safety Conference Queensland

social as to time frames, he did say that discussions were continuing with stakeholders. (Read our friends in Buckingham St), however he is optimistic.

A panel discussion/debate of some interest was whether or not we should continue with oral exams. I believe Kevin Fleming was to speak pro retention but was unable to attend, so Phil Evans stood in. Although the pros and cons were evenly balanced the group most in favor of the retention were the service providers. I believe the reason for this was to protect an income stream with the “I didn’t fail you they did” mentality. This is but a small sample of what transpired and there were many more interesting and informative papers. Well worth the trip.

A final note worth mentioning was that Sydney Ferries had no representation, the first time in a few years that I know of. It makes one question their policy on safety.

By Bob Brownrigg Roll No 12103

MO



“Wake”

Photo courtesy of Gladstone
Pilots Delegate Paul Chapman

Divisional Structure

Offshore Division

The Offshore Division shall consist of members employed on vessels trading overseas, interstate, intrastate, or tugs pushing or towing barges being used to carry cargo, dredging and those members engaged in offshore hydrocarbon, oil and gas operations.

Management

Fred Ross – Offshore Divisional Director
Phone: 02-9264 2388 Mobile: 0448 884 363
Email: fred@amou.com.au

John Wydell – Offshore Industrial Officer
Phone: 02-9264 2388 Mobile: 0439 408 901
Email: john@amou.com.au

Carl Young – Offshore Industrial Officer
Phone: 08-9335 3535 Mobile: 0409 124 490
Email: carl@amou.com.au

Contacts

Seagoing

Fred Ross, John Wydell

Oil and Gas

Fred Ross, Carl Young

Seafarers Compensation and Rehabilitation

John Wydell

Certification and Training

Fred Ross

Port Services Division

The Port Services Division shall consist of members engaged or employed in or in connection with Port and Marine Authorities including Port Corporations, Government Departments (including sections), Waterways and Channels Authorities, Pilotage Services, Stevedoring and Harbour and Deep sea Tugs, or on craft on or about inland and coastal waterways, bays, harbours, ports and rivers.

Management

Michael Fleming – Port Services
Divisional Director
Phone: 02-9264 2388 Mobile: 0419 401 737
Email: michael@amou.com.au

Richard Barnes – Port Services
Industrial Officer
Mobile :0407 912 932
Email: richardbarnes@amou.com.au

Steve Groves – Port Services Industrial Officer
Phone: 03 9663 6702 Mobile: 0417 316 370
Email: vic@amou.com.au

Contacts

Port and Marine, Pilotage, Stevedoring, Ferries and Tourist Vessels

Michael Fleming

Port Services and Tourist Vessels QLD

Richard Barnes

Port Services VIC/TAS, Dredging and Tugs

Steve Groves