

Rural & Regional Affairs and Transport Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2012

Infrastructure and Transport

Question no.: 122

Program: N/A

Division/Agency: (AMSA) Australian Maritime Safety Authority

Topic: Joint response to capsized boat off the coast off Indonesia

Proof Hansard Page/s: Written

Senator NASH asked:

An article from 27 August 2012 which was published by a number of news outlets including The Age and the Canberra Times which alleges that Indonesian Authorities approached “Australia’s ocean safety authority” about assisting a boat 29 hours before it was found to have capsized in June.

1. Is this the case?
2. Did Indonesian Authorities request assistance from AMSA in relation to this boat? If so, when?
3. The article claims that the boat made several calls for help to AMSA between 19 and 21 June and that vessels were sent to assist 41 hours after the first call. At what date and time was the first call received?
4. What action was taken after this call was received?
5. Please provide details of the date and time of all subsequent calls.
6. What action was undertaken after each of these calls were received?
7. When was maritime assistance provided?
8. When was a fly-over approved?
9. What communication with Indonesian Authorities and their search and rescue agency Basarnas was undertaken?
10. When was this undertaken?
11. What is the Department’s response to academics that claim that Australia failed to meet its international obligations under international conventions to provide assistance to vessels in distress at sea?

Answer:

1. No.
2. On 20 June 2012 the Indonesian search and rescue authority (BASARNAS), asked to be advised if further information came from the boat and requested assistance be provided when the boat was close to Christmas Island.
- 3 to 10. Several calls from the boat were received by AMSA during the period 19-20 June. All information received in the calls was passed to BASARNAS as the vessel was in the Indonesian search and rescue region.

BASARNAS advised an Indonesian navy vessel was enroute. Around 3:00pm, 21 June 2012, AMSA advised that an Australian Customs and Border Protection Services routine surveillance flight had sighted people in the water. AMSA communicated mayday relays to shipping in the area. At the request of BASARNAS, AMSA assumed the coordination role late 21 June 2012.
11. AMSA has not seen the advice that was the basis for the media comment so cannot comment directly on these claims. Australia has met its obligations under relevant international conventions in responding to this incident.

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Question no.: 123

Program: N/A

Division/Agency: (AMSA) Australian Maritime Safety Authority

Topic: Sri Lankan Boats

Proof Hansard Page/s: Written

Senator HEFFERNAN asked:

At Senate Estimates on Tuesday 16 October, the acting CEO of Customs and Border Protection, Michael Pezzullo gave evidence that AMSA has requested that merchant vessels go to the assistance of asylum seeker boats in international waters off the Cocos (Keeling) Islands.

1. Since August 2010, how many times has AMSA received phone calls, either directly or through 000 emergency call referrals, from people on their way to Australia on illegal boats from Sri Lanka seeking assistance or rescue?
2. Since August 2010, how many times has AMSA called on merchant vessels or Customs and Border Protection Command to go to the assistance of boats with asylum seekers on board outside our territorial waters?
3. Of those instances, on how many occasions were those rescued or provided with assistance subsequently brought to Australian territory and where?
4. Since August 2010, has AMSA contacted Sri Lankan authorities alerting them to vessels in distress in their waters that were on their way to Australia? If so, how many?
5. Since August 2010, have Sri Lankan authorities including the Sri Lankan Navy ever informed AMSA of illegal boats arriving or on their way to Australia?
6. Since August 2010, have Sri Lankan authorities ever expressed a view that boats they may have informed AMSA about should be returned to Sri Lanka, or that they would be willing to aid in their return?

Answer:

1. 9.
2. 50 outside Australia's search and rescue region.
3. 48.
4. 3.
5. No.
6. No.

(All answers calculated from 1 August 2010 to 14 November 2012)

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Supplementary Budget Estimates October 2012

Infrastructure and Transport

Question no.: 124

Program: N/A

Division/Agency: (AMSA) Australian Maritime Safety Authority

Topic: Australian Government's obligations for providing safe port for people rescued at sea

Proof Hansard Page/s: Written

Senator HEFFERNAN asked:

1. Is the Australian Government obliged under the SOLAS Convention to provide a safe port for people rescued at sea outside our territorial waters?
2. Does this situation change if AMSA has been involved in either coordinating the rescue or alerting foreign jurisdictions to the maritime emergency?

Answer

No.

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Supplementary Budget Estimates October 2012

Infrastructure and Transport

Question no.: 125

Program: N/A

Division/Agency: (AMSA) Australian Maritime Safety Authority

Topic: Marine Environment Pollution Incidents

Proof Hansard Page/s: Written

Senator WHISH-WILSON asked:

1. Over the past 5 years how many cases of pollution of the marine environment by ships has AMSA investigated?
2. Which annex of the *International Convention for the Prevention of Pollution from Ships (MARPOL)* have these cases fallen under?
3. How many have been Australia registered vessels and how many have been internationally registered?
4. How many successful prosecutions have there been?

Answer:

1. 51.
2. Annex I – Regulations for the Prevention of Pollution by Oil
Annex V – Regulations for the Prevention of Pollution by Garbage from Ships
3. One (1) incident related to an Australian flag vessel. 50 incidents related to foreign flagged vessels.
4. 15.