

[LEGAL NOTICE NO. 88]

MARITIME TRANSPORT DECREE 2013
(DECREE NO. 20 OF 2013)

Maritime (Jet Boat) Regulations 2014

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MARITIME TRANSPORT DECREE 2013
(DECREE NO. 20 OF 2013)

MARITIME (JET BOAT) REGULATIONS 2014

IN exercise of the powers conferred upon me by section 240 (1)(c) of the Maritime Transport Decree 2013, I hereby make these Regulations —

PART 1 — PRELIMINARY

Short title and commencement

1. These Regulations may be cited as the Maritime (Jet Boat) Regulations 2014 and shall come into force on a date appointed by the Minister by notice in the *Gazette*.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“administration” means the Maritime Safety Authority of another State;

“approved form” means a form approved by the Chief Executive Officer;

“Authority” means the Maritime Safety Authority of Fiji;

“authorised officer” means any person or persons authorised for any purpose under the Decree by the Chief Executive Officer;

“assessor” means a person specified in the Commercial Jet Boat Safe Operational Plan who undertakes an assessment of a licensed commercial jet boat driver’s competency;

“braided section” in relation to a river, means the section of a river where the main channel is braided with multiple channels separated by temporary bars or shoals;

“cargo” means any goods being carried on a commercial jet boat other than the—

(a) personal belongings of a passenger that weigh 7 kilograms or less;
or

(b) equipment of the commercial jet boat;

“Chief Executive Officer” means the Chief Executive Officer of the Authority;

“commercial jet boat” means a commercial ship with water jet propulsion that—

(a) is less than 10 metres in length overall; and

(b) is designed to carry no more than 34 persons;

“commercial jet boat operation” means the operation of a commercial jet boat that—

(a) involves the carriage of a passenger or passengers at planning speed in a commercial jet boat; and

(b) is undertaken primarily on a river or in sheltered waters, so that the whole or majority of the trip is undertaken on a river or in sheltered waters;

“commercial jet boat operator” means a person who holds a Commercial Jet Boat Operator Certificate;

“Commercial Jet Boat Operator Certificate” means a certificate issued by the Chief Executive Officer under section 24 of the Decree, in accordance with regulation 7;

“Commercial Jet Boat Safe Operational Plan” means a safe operational plan required by regulation 12;

“current” means, in respect of a certificate or licence, that a document is valid, and that the document holder has satisfied all requirements for the exercise of the privileges of that document;

“Decree” means the Maritime Transport Decree 2013;

“driver” means—

- (a) the person in command or charge of a commercial jet boat; and
- (b) the master of the boat;

“existing commercial jet boat” means a commercial jet boat that is not a new commercial jet boat;

“freeboard” means the lowest point of the upper edge of the hull at which water can enter the commercial jet boat when the jet boat is in still water and carrying a full load;

“impaired” means affected by fatigue, injury, medical condition, or by the consumption of alcohol or other drugs to such a degree that the person may be a risk to the safety of himself or herself or any other person;

“length overall” means the length of the boat measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the boat, but does not include fittings (such as beltings, bowsprits, trim tabs or jet drive units) that project beyond those terminal points;

“major alteration or modification” means an alteration or modification of a commercial jet boat, including the replacement, removal, or addition of any part of the boat that is likely to—

- (a) significantly affect the structural integrity, freeboard, cargo or passenger capacity, water tightness, or stability of the boat; and
- (b) any significant changes to the propulsion machinery, auxiliary machinery, steering and any safety equipment, not including direct replacement;

“new commercial jet boat” means a boat that commences commercial jet boat operations after the gazettal of these Regulations;

“non-commercial use”, in relation to a commercial jet boat, means the use of the boat for a period, and exclusively during that period, for the owner’s or operator’s pleasure;

“Commercial Jet Boat Driver Licence” means a licence issued by the Chief Executive Officer under section 24 of the Decree, in accordance with regulation 18;

“passenger,” in relation to a commercial jet boat, has the same meaning as in section 2 of the Decree, and does not include any person on board a commercial jet boat for the purposes of driver training;

“thrill-type trip” means a commercial jet boat operation in which spins, extreme turns, and similar manoeuvres are undertaken;

“training instructor” means a person specified in the Commercial Jet Boat Safe Operational Plan who provides driver training for jet boats; and

“personal flotation device” means a buoyancy aid that complies with New Zealand standard for buoyancy aids (NZS 5823:2005) or other equivalent standards approved by the Chief Executive Officer.

Purpose

3. These Regulations prescribe the standards for jet boats operating in rivers and sheltered waters of Fiji.

Application

4. These Regulations shall apply to every operator and driver of a commercial jet boat who is operating or driving a commercial jet boat on a river or within sheltered waters of Fiji.

Requirement to hold Commercial Jet Boat Operator Certificate

5. A person shall not perform a commercial jet boat operation except under the authority of, and in accordance with, a valid Commercial Jet Boat Operator Certificate issued under section 24 of the Decree and in accordance with these Regulations.

PART 2 – OPERATOR CERTIFICATION

Application for Commercial Jet Boat Operator Certificate

6.—(1) A person intending to operate a commercial jet boat operation shall make an application for a Commercial Jet Boat Operator Certificate in accordance with section 23 of the Decree, and include, in an approved form—

- (a) a Commercial Jet Boat Safe Operational Plan; and
- (b) such further particulars relating to the applicant as may be required by the Chief Executive Officer.

(2) An application made under sub-regulation (1) shall be submitted to the Chief Executive Officer, with the prescribed application fee as set out in Schedule 3.

Issuance of Commercial Jet Boat Operator Certificate

7. The Chief Executive Officer may issue a Commercial Jet Boat Operator Certificate if satisfied that the applicant meets the requirements of sections 23 and 24 of the Decree and the requirements of these Regulations.

Display of Commercial Jet Boat Operator Certificate

8. A commercial jet boat operator shall display a certified copy of its current Commercial Jet Boat Operator Certificate in a prominent position at its normal place of business at all times.

Privileges of certificate holder

9. The Commercial Jet Boat Operator Certificate entitles the holder to conduct a commercial jet boat operation, subject to the conditions specified on the Commercial Jet Boat Operator Certificate.

Duration of Commercial Jet Boat Operator Certificate

10. A Commercial Jet Boat Operator Certificate may be issued for a period not exceeding 5 years, subject to an annual verification audit carried out by the Authority.

Currency of Commercial Jet Boat Operator Certificate

11. Pursuant to regulation 10, a Commercial Jet Boat Operator Certificate shall remain valid if the holder continues to—

- (a) comply with all operating requirements in this Part;
- (b) comply with the applicable Commercial Jet Boat Safe Operational Plan;
- (c) meet the fit and proper person requirements under section 32 of the Decree; and
- (d) satisfy any condition required on the certificate by the Chief Executive Officer.

Requirement for Commercial Jet Boat Safe Operational Plan

12.—(1) A commercial jet boat operator shall ensure that all commercial jet boats used in the commercial jet boat operation comply with the requirements prescribed in Schedule 1.

(2) A Commercial Jet Boat Safe Operational Plan for an application made under regulation 6 shall require the approval of the Chief Executive Officer and contain the following—

- (a) the operating details prescribed in paragraphs 1.0 to 5.0 of Schedule 2;
- (b) operating procedures and programs prescribed in paragraphs 6.0 to 22.0 of Schedule 1;
- (c) where applicable, the driver training program required under sub-regulation (3) and regulation 17(1)(f)(i), ;
- (d) where applicable, the criteria used to select training instructors for the driver training programme;
- (e) competency program required under sub-regulation (4); and
- (f) criteria used to select the assessors described in regulation (4)(b).

(3) A commercial jet boat operator who intends to train drivers for the Commercial Jet Boat Driver Licence shall establish a driver training program in the Commercial Jet Boat Safe Operational Plan to ensure that each driver is adequately and properly trained for the Commercial Jet Boat Driver Licence.

- (4) A commercial jet boat operator shall establish a competency program to ensure—
- (a) each driver meets the standard of competence prescribed in regulation 23;
 - (b) an assessor carries out initial and on-going assessment of each driver's competence to undertake the driving duties required for that operation; and
 - (c) no driver carries out a self-assessment.

Operating requirements

13. A commercial jet boat operator shall—
- (a) ensure the Commercial Jet Boat Safe Operational Plan—
 - (i) remains consistent with the commercial jet boat operation;
 - (ii) continues to be applied; and
 - (iii) continues to meet the applicable requirements under these Regulations;
 - (b) acquire prior approval from the Chief Executive Officer for any change to the following before the change is recorded and implemented—
 - (i) the commercial jet boat operator details as required under paragraph 1.0 of Schedule 1;
 - (ii) the driver training program under regulation 12(3); and
 - (iii) the competency program referred to in regulation 12(4);
 - (c) authorise by signing and dating, any change to the Commercial Jet Boat Safe Operational Plan, as prescribed under paragraphs 2.0 to 22.0 of Schedule 1, prior to the change being made;
 - (d) amend the Commercial Jet Boat Safe Operational Plan as may be required by the Chief Executive Officer;
 - (e) keep in a secure place a valid and complete copy of the Commercial Jet Boat Safe Operational Plan;
 - (f) ensure that all commercial jet boats used in the commercial jet boat operation comply with the requirements of Part 3;
 - (g) conduct a review of the Commercial Jet Boat Safe Operational Plan at least every 12 months and after every incident, accident or mishap to ensure the commercial jet boat operation remains consistent with the Commercial Jet Boat Safe Operational Plan; and
 - (h) comply with all procedures and programs in the Commercial Jet Boat Safe Operational Plan.

PART 3—COMMERCIAL JET BOAT REQUIREMENTS

General requirement for commercial jet boats

14.—(1) Subject to sub-regulation (2), a commercial jet boat operator shall ensure that all commercial jet boats used in the commercial jet boat operation comply with the standards prescribed in Schedule 2.

(2) Paragraph 2.0(1) of Schedule 2 shall apply to commercial jet boats that are—

- (a) new commercial jet boats;
- (b) existing commercial jet boats 2 years after these Regulations come into force.

New commercial jet boats or those with major alteration or modification

15. A commercial jet boat operator shall ensure that a new commercial jet boat, or an existing commercial jet boat that has had a major alteration or modification, is not used in a commercial jet boat operation until an application is made to the Authority in an approved form and an approval is obtained from the Chief Executive Officer.

PART 4—COMMERCIAL JET BOAT DRIVERS

Requirement to hold Commercial Jet Boat Driver Licence

16.—(1) No person shall carry a passenger on a commercial jet boat unless he or she holds a Commercial Jet Boat Driver Licence recognised or issued by the Chief Executive Officer under section 24 of the Decree and in accordance with these Regulations, except as provided under sub-regulation (3).

(2) No person may operate a commercial jet boat unless he or she holds a valid Commercial Jet Boat Driver Licence.

(3) A person shall not be required to hold a valid Commercial Jet Boat Driver Licence for the purposes of training and in accordance with a driver training program accepted by the Chief Executive Officer.

Application for Commercial Jet Boat Driver Licence

17.—(1) An applicant for a Commercial Jet Boat Driver Licence shall—

- (a) apply in accordance with sections 23 and 24 of the Decree in an approved form required by the Chief Executive Officer;
- (b) be at least 18 years of age;
- (c) provide a recent photograph of the applicant;
- (d) provide evidence of holding a valid first aid certificate required under regulation 20(1)(b);
- (e) provide evidence of having been issued with a valid medical certificate and having passed the medical examination required by regulation 20(1)(c); and
- (f) provide evidence of having, in the last 12 months—
 - (i) completed a structured driver training program acceptable to the Chief Executive Officer under which the driver has not less than

50 hours experience as a commercial jet boat driver, under the supervision of a training instructor;

- (ii) where required by the Chief Executive Officer, passed an oral test conducted by the authorised officer, which tests knowledge of the subject matter defined in the structured driver training program; and
- (iii) passed a commercial jet boat driving test of the structured driver training program required by paragraph (i) conducted by an authorised officer.

Issuance of Commercial Jet Boat Driver Licence

18. The Chief Executive Officer may issue a Commercial Jet Boat Driver Licence if satisfied that the applicant meets the requirements of sections 23, 24 and 32 of the Decree, and the applicable requirements of these Regulations.

Duration of a Jet Boat Driver Licence

19.—(1) A Commercial Jet Boat Driver Licence may be issued for a period not exceeding 5 years.

(2) In considering the duration of a Commercial Jet Boat Driver Licence, the Authority shall take into consideration section 32 of the Decree and the years of experience of the applicant.

Currency of Commercial Jet Boat Driver Licence

20.—(1) A Commercial Jet Boat Driver Licence remains current if the holder—

- (a) complies with all applicable operating requirements in this Part;
- (b) except as provided in sub-regulation (2), holds a valid first aid certificate that certifies that the driver has received training and is competent to provide first aid;
- (c) subject to sub-regulation (3), holds a valid medical certificate;
- (d) undergoes and passes a competency assessment in accordance with the standards and procedures in the applicable Commercial Jet Boat Safe Operational Plan;
- (e) continues to meet the fit and proper person requirements under section 32 of the Decree; and
- (f) continues to satisfy any condition imposed on the Commercial Jet Boat Driver Licence by the Chief Executive Officer.

(2) The Chief Executive Officer may recognise an alternative valid first aid certificate issued by another administration.

(3) If a driver is aware of, or has reasonable grounds to suspect, any change in his or her medical condition or the existence of any previously undetected medical condition that may interfere with the ability to drive a commercial jet boat, the driver shall not drive a commercial jet boat unless a medical practitioner approved by the Chief Executive Officer confirms the driver is fit to hold the medical certificate referred to in sub-regulation (1)(c).

Revalidation of Commercial Jet Boat Driver Licence

21.—(1) The holder of a Commercial Jet Boat Driver Licence shall apply to the Chief Executive Officer to have his or her licence revalidated under section 23 of the Decree.

(2) An applicant for licence revalidation shall apply to the Chief Executive Officer for revalidation of a licence at least 1 month before it expires.

(3) The Chief Executive Officer may revalidate a Commercial Jet Boat Driver Licence if satisfied that the applicant meets the requirements of section 23 and 24 of the Decree, and the applicable requirements of these Regulations, if the applicant—

- (a) provides a recent photograph for the issue of a new licence;
- (b) holds a valid first aid certificate required by regulation 20(1)(b);
- (c) has been issued with a valid medical certificate required by regulation 20(1)(c); and
- (d) driver has to submit evidence in compliance with regulation 17(1)(f), if he or she has not been driving for the past 5 years.

Driver log

22.—(1) Each driver shall maintain his or her own current and accurate log book.

(2) The driver's log book shall be in a form acceptable to the Chief Executive Officer.

Driver competency requirement

23. Each driver shall be competent to drive in a commercial jet boat operation to the extent that the driver is adequately and properly trained, and proficient for each area and type of jet boat, and nature of operation in which the driver serves.

PART 5—TRANSITIONAL PROVISIONS

Existing commercial jet boat operations

24. Notwithstanding regulation 1, existing commercial jet boat operators having their jet boats surveyed and registered before these Regulations come into force, shall comply with the requirements of these Regulations once the survey certificates for jet boats have expired.

Existing jet boat drivers

25.—(1) Subject to sub-regulation (2), a person who is a commercial jet boat driver is deemed to hold a Commercial Jet Boat Driver Licence issued under these Regulations if that person provides satisfactory evidence that he or she—

- (a) has driven commercial jet boats in Fiji in the last 12 months of coming into force of these Regulations;
- (b) has demonstrated safe driving ability, competence, and experience as a driver;
- (c) holds a valid first aid certificate required by regulation 20(1)(b);
- (d) has been issued with the medical certificate required by regulation 20(1)(c); and
- (e) has applied and has been issued with a Jet Boat Driver Licence.

(2) The holder of a Commercial Jet Boat Driver Licence shall be required to undergo an assessment by an authorised officer if the Chief Executive Officer is not satisfied that the holder satisfies the requirements of these Regulations or section 24 of the Decree.

Offences and penalties

26. Any owner or operator of a jet boat operation who contravenes these Regulations commits an infringement offence in accordance with section 262 of the Decree and shall be liable to a fine not exceeding \$3,000.

Made this 14th day of December 2014.

P. TIKODUADUA
Minister for Infrastructure and Transport

SCHEDULE 1—OPERATING DETAILS, PROCEDURES, AND PROGRAMS TO BE
INCLUDED IN COMMERCIAL JET BOAT SAFE OPERATIONAL PLAN
(Regulation 12)

OPERATING DETAILS

1.0 Commercial jet boat operator details

- (a) The full name of the commercial jet boat operator.
- (b) The legal owner of the commercial jet boat operation.
- (c) The business or legal trading name of the commercial jet boat operation.
- (d) For the purpose of determining who has or is likely to have control over the exercise of privileges—
 - (i) under the Commercial Jet Boat Safe Operational Plan, the full name of the person or persons; and
 - (ii) responsible for the following functions—
 - A. the commercial jet boat operation;
 - B. resource allocation;
 - C. crew training and competency assessments;
 - D. operational decisions including the control and scheduling of maintenance and internal quality assurance;
- (e) The name of each training instructor, where applicable.
- (f) The name of each assessor.
- (g) The postal address and address for service of the commercial jet boat operation.
- (h) The name and the sections of river and sheltered waters on which the commercial jet boat operation is to be conducted.
- (i) The route taken on a river or sheltered waters, where applicable.

2.0 Commercial jet boat operating details

- (a) Maps or plans detailing the areas of commercial jet boating operations and their environs.
- (b) The process for notifying the Chief Executive Officer of any non-commercial use, which must include the intended period of non-commercial use.

3.0 Commercial jet boat details

- (a) The Authority Identification Number.
- (b) The engine make and model.
- (c) The jet unit make and model.
- (d) The name of the commercial jet boat.
- (e) A written record of—
 - (i) inspections of the commercial jet boat required by the Chief Executive Officer; and
 - (ii) the maintenance of the commercial jet boat and propulsion unit.
- (f) The maintenance, testing, inspection, and replacement of the equipment required under these Regulations and any equipment required to be listed under paragraph 15.0.

4.0 Driver details

- (a) The names of all drivers involved in the commercial jet boat operation.
- (b) A copy of each driver's—
 - (i) Commercial Jet Boat Driver Licence;
 - (ii) competency assessments required under regulation 12(4)(b);
 - (iii) current medical and first aid certificates; and
 - (iv) log book that has been verified by the operator or person nominated in the Commercial Jet Boat Safe Operational Plan at least every 6 months.

5.0 Operating details

A written record of the following information—

- (a) every commercial jet boat trip undertaken;
- (b) the names of the drivers on every commercial jet boat trip;
- (c) the number of passengers;
- (d) the name and address of each passenger on a commercial jet boat who is involved in an accident, incident, or mishap required to be reported; and
- (e) every accident, incident, or mishap on board or involving a commercial jet boat in the commercial jet boat operation.

OPERATING PROCEDURES AND PROGRAMS

6.0 Operation of a commercial jet boat

Each driver must operate a commercial jet boat in accordance with these Regulations and the Commercial Jet Boat Safe Operational Plan.

7.0 Pre-operational checks

Each commercial jet boat operation must provide for the following operating procedures before departing on a trip—

- (a) passengers must not be on board the commercial jet boat during re-fuelling;
- (b) if a commercial jet boat's grade of fuel has been changed, its engine must be correctly tuned and its performance tested under normal operating conditions before any passengers are carried; and
- (c) if starting an engine from cold and following refuelling the—
 - (i) engine space for commercial jet boats with petrol or LPG installations must be adequately ventilated before the engine is started to ensure that there is no build-up of explosive gases; and
 - (ii) possibility of the build-up of explosive gases in the engine space must be checked.

8.0 Passenger screening and safety information

Each commercial jet boat operation must provide for the following passenger screening and safety information procedures both verbally and in a form that can be understood by non-English speakers (if any)—

- (a) before passengers board a commercial jet boat—
 - (i) no person may board the boat if his or her impairment is, or may cause, a hazard to himself or herself, or any other person on the boat;
 - (ii) passengers must be advised of the risks involved with commercial jet boating; and
- (b) before the commercial jet boat commences the trip, passengers must be –
 - (i) briefed on the safety features of the boat and its equipment;
 - (ii) advised to remain seated with their arms inside the boat when it is underway;
 - (iii) on thrill-type trips—
 - A. advised that spins, extreme turns, and other manoeuvres will be undertaken; and
 - B. given adequate warning before any spin, extreme turn, or other manoeuvre is undertaken.

9.0 Communications

- (1) Each driver must maintain contact, using either radio or other means of communication acceptable to the Chief Executive Officer, with a shore base and with drivers of other commercial jet boats operating in the same area.
- (2) Back-up arrangements must be in place in case the primary means of emergency communication fails, including the actions to be taken in the event of non-arrival of a jet boating group at a pre-arranged time and place.

10.0 Personal flotation devices

- (1) Every passenger must be correctly fitted with a personal flotation device, of a type prescribed in paragraph 17.0 of Schedule 2, before they board the commercial jet boat.
- (2) Every person on board a commercial jet boat must wear his or her personal flotation device when the boat is on the river.

11.0 Navigation safety

Commercial jet boats—

- (a) must only be operated in a river, or within sheltered waters in weather conditions that permit a boat to be operated safely;
- (b) must not undertake trips in poor visibility;
- (c) must keep to the right unless safety otherwise dictates; and
- (d) going upstream must give way to those coming downstream unless safety otherwise dictates.

12.0 Freeboard load line not exceeded

A commercial jet boat's freeboard load line must not be exceeded at any time.

13.0 Off-river contact

Throughout each commercial jet boat trip, there must be a responsible person off river or onshore who is—

- (a) aware of the commercial jet boat trip details including—
 - (i) the full name of the driver;
 - (ii) the number of passengers;
 - (iii) the river and sections of river being driven or section of sheltered water being driven; and
 - (iv) the estimated time of return; and
- (b) able to initiate any emergency action in accordance with the Commercial Jet Boat Safe Operational Plan.

14.0 Hours of operation

A commercial jet boat operation may only be carried out between sunrise and 30 minutes before sunset, unless the—

- (a) specific purpose of the trip is to operate outside of those hours; and
- (b) trip outside of those hours is provided for in the Commercial Jet Boat Safe Operational Plan.

15.0 Additional equipment

Where safety practices applying to a specific river or specific section of sheltered waters require additional equipment, the additional equipment must be listed.

16.0 Changes to commercial jet boat operations

The commercial jet boat operator must have procedures to deal with changed or changing circumstances, including—

- (a) jet boating on rivers that are infrequently used for jet boating;
- (b) jet boating on a particular section of sheltered waters frequently used by other crafts;
- (c) increased river and sheltered water traffic;
- (d) alteration to riverbed topography.

17.0 River, sheltered waters and weather conditions

- (1) Information must be available to drivers about the river flows, weather conditions, and sheltered water conditions that are safe for the commercial jet boating operation.
- (2) The sources of the information referred to in sub-paragraph (1) must be provided to drivers.
- (3) The requirement for drivers to operate within those safe river flows, weather conditions, and sheltered water conditions (if applicable).

18.0 Carriage of cargo

Where commercial jet boats carry cargo, a commercial jet boat operator must have and implement cargo procedures to ensure that—

- (a) thrill-type trips are not undertaken;
- (b) safe speeds are defined and followed;
- (c) cargo remains secure;
- (d) cargo does not present a safety risk to the commercial jet boat's stability or handling characteristics.

19.0 Managing hazards

A commercial jet boat operator must meet its health and safety responsibilities under the Health and Safety at Work Act 1996, by including, without being limited to, the following—

- (a) the process used by the operator to identify the operational hazards that may cause harm to a person;
- (b) the process used by the operator to review operational hazards and how they are to be controlled, including how drivers are made aware of new hazards before drivers and passengers are exposed to them (for example, the day-to-day changes in river and sheltered water conditions);
- (c) the process of how the operator will ensure participation of drivers in the process of identification, control, and review of operational hazards, including the way in which the operator will ensure that the safe operational plan is complied with in day-to-day operations;
- (d) the process for reporting significant hazards, accidents, incidents and mishaps;
- (e) the process for complying with the monitoring system that the operator uses to ensure that the safe operational plan is adhered to in day-to-day operations; and
- (f) the process used by the operator to ensure that a driver is mentally and physically fit to work as a driver and does not participate in a commercial jet boat operation where, in the opinion of the operator, the driver is impaired.

20.0 Emergency plans

The commercial jet boat operator must have an emergency plan that—

- (a) identifies potential emergencies;
- (b) outlines procedures to minimise the adverse consequences of these events; and
- (c) includes procedures for—
 - (i) situation management;
 - (ii) call-out;
 - (iii) evacuation;
 - (iv) identification and allocation of resources; and
 - (v) notification of police and rescue services (including responsibility for notification and the use of standardised terminology within the commercial jet boat operation's organisation and with police and rescue services); and
- (d) specifies training and exercises to ensure the effectiveness of the plan and prepare employees before any emergency.

21.0 Accident, incident and mishap procedures

The commercial jet boat operator must have—

- (a) procedures for recording and reporting all accidents, incidents and mishaps to the Chief Executive Officer;
- (b) procedures for investigating accidents, incidents and mishaps; and
- (c) procedures for reviewing accidents, incidents and mishaps for causes and trends.

22.0 Maintenance

A commercial jet boat operator must have, and apply, a maintenance programme for every commercial jet boat and propulsion unit.

SCHEDULE 2 – COMMERCIAL JET BOAT STANDARDS

(Regulation 14)

1.0 Commercial jet boat design and construction

- (1) A commercial jet boat's design, construction, and materials of construction must be adequate for the nature of the intended commercial jet boat operation, including any extreme manoeuvre undertaken in that operation.
- (2) The inside of the passenger compartment must be free from projections and sharp edges with which a passenger's body may come into contact as a result of any motion or sudden stopping of the boat. Where practicable, hard surfaces that might come into body contact, must be padded.

2.0 Provision for emergency exit

- (1) A commercial jet boat operating on a braided section of a river must be fitted with an exit structure that—
 - (a) allows emergency exit for all persons if the boat is overturned on solid level ground; and
 - (b) is of sufficient strength to support the loads applied from a fully loaded commercial jet boat impacting on the embankment and rolling.
- (2) Commercial jet boats with enclosed canopies must be fitted with adequate means of emergency exits that are clearly marked.

3.0 Freeboard

- (1) The freeboard load line must be marked on the commercial jet boat transom.
- (2) An existing commercial jet boat's freeboard must not be less than 300 millimetres.
- (3) A new commercial jet boat's freeboard must not be less than 450 millimetres.

- (4) For the purpose of sub-paragraph (3), a full load includes—
- (a) full fuel tanks;
 - (b) the maximum number of occupants the boat is designed to carry allowing for 75 kilograms for each person; and
 - (c) all equipment required under this Part.

4.0 Seating

- (1) Seating for commercial jet boats must be—
- (a) securely fixed;
 - (b) fitted with back rests;
 - (c) constructed without sharp edges with which a passenger could come into contact as the result of any motion or sudden stopping of the boat;
 - (d) for existing commercial jet boats, placed so that the upper thighs of a seated person are below the level of the side deck or coaming of the commercial jet boat; and
 - (e) for new commercial jet boats, placed so that the base of the seat is 300 millimetres below the level of the side deck or coaming of the commercial jet boat.
- (2) Seating for commercial jet boats undertaking a thrill-type trip must also—
- (a) face forward; and
 - (b) be adequately upholstered.

5.0 Handholds and footrests

- (1) Commercial jet boats must provide handholds for all passengers on board.
- (2) Handholds must be—
- (a) adequately strong; and
 - (b) placed appropriately.
- (3) New commercial jet boats that undertake thrill-type trips must provide footrests for all persons on board except the driver.
- (4) Footrests must be—
- (a) adequately strong;
 - (b) placed appropriately; and
 - (c) fixed inclined.

6.0 Towing eye

- (1) A commercial jet boat must have a towing eye fixed.
- (2) Towing eyes must be—
 - (a) adequately strong;
 - (b) fixed forward of the commercial jet boat; and
 - (c) placed so that the commercial jet boat can be towed up river in normal river operating conditions.

7.0 Windscreens

Windscreens, where fitted, must be securely fixed and be made of safety toughened glass, aluminium, or suitable plastic.

8.0 Propulsion unit

- (1) The jet unit and drive shaft must be compatible with the engine's torque and revolution limits.
- (2) Drive shaft couplings more than 250 millimetres long must be fitted with flail guards.
- (3) Flail guards must not prevent visual inspection and maintenance of the coupling.
- (4) Engines must—
 - (a) be adequately secured to the engine beds;
 - (b) be provided with collision chocks or other means to prevent the engine moving forward in a sudden stop;
 - (c) have adequate natural ventilation;
 - (d) if resilient mounts are fitted, be connected to the jet unit through a flexible coupling; and
 - (e) be fitted with an engine cover that is—
 - (i) fire retardant; and
 - (ii) adequately secured.
- (5) Any insulation of the engine must be of fire retardant material.
- (6) All fuel, water, and exhaust hoses must be flexible.
- (7) Batteries must have the minimum capacity determined and recommended by the jet boat manufacturer or the engine manufacturer, and must be placed in a dry and well ventilated position as close to the starter motor as practicable.

9.0 Bilge pumps

- (1) A permanent bilge pump of at least 4100 litres capacity per hour must be fitted.
- (2) If submerged, electric bilge pumps are to be used and at least two must be fitted.
- (3) Each electric bilge pump must—
 - (a) be independently wired and switched; and
 - (b) have at least 4100 litres capacity per hour.
- (4) Switches and activation lights for bilge pumps must be clearly identified.

10.0 Steering gear

- (1) Steering gear must be reliable, effective and robust.
- (2) Where the actuating mechanism is of a wire and pulley type—
 - (a) all wires, terminal connections, and adjustment devices must be of adequate strength and securely locked where appropriate;
 - (b) threaded fittings in particular must have effective locking devices;
 - (c) all pulleys must be of adequate diameter with ample depth of groove; and
 - (d) all pulley assemblies must be securely attached to the commercial jet boat.
- (3) Wood or non-reinforced plastic steering wheels must not be used.
- (4) Commercial jet boats fitted with Hamilton HJ212 water jets must have tiller stops fitted.

11.0 Petrol installation

- (1) Petrol tanks must—
 - (a) be vented overboard;
 - (b) be adequately secured;
 - (c) be constructed of mild steel, stainless steel, aluminium alloy, or other materials acceptable to the Chief Executive Officer;
 - (d) be tested to a pressure equivalent of at least 2.4 metres head of water and evidence of the test must be made available to the Chief Executive Officer; and
 - (e) have a valve located in an accessible position that is capable of stopping the flow of fuel from the tank.
- (2) Petrol tanks and pipe connections must be drip proof and covered or otherwise protected where any fire hazard is likely to exist.

- (3) The engine induction must be fitted with an air filter or a flame arrester.
- (4) The petrol tank filling connection must be located so that when it is in use any spillage will not enter the boat.
- (5) Petrol lines must be—
 - (a) taken from the top of the petrol tank;
 - (b) made of acceptable material; and
 - (c) resistant to petrol.
- (6) A petrol filter must be fitted.
- (7) Petrol lines and filters must not be fixed directly above the exhaust system.

12.0 Diesel installation

Diesel tanks must be—

- (a) adequately secured;
- (b) constructed of mild steel, stainless steel, aluminium alloy, or fibre reinforced plastic; and
- (c) tested to a pressure equivalent of at least 2.4 metres head of water and evidence of the test must be made available to the Chief Executive Officer.

13.0 LPG installation

If LPG is used either wholly or in part as a fuel, the installation, operation, maintenance, and fuelling of LPG systems must be acceptable to the Chief Executive Officer.

14.0 Fixed fire extinguishing systems

- (1) A commercial jet boat with petrol and LPG installations must be fitted with a fixed fire extinguishing system.
- (2) The fixed fire extinguishing system must be—
 - (a) capable of extinguishing fires in the engine space without moving the engine cover; and
 - (b) readily accessible to the driver.
- (3) CO₂ fire extinguishing systems must be—
 - (a) capable of discharging into the engine space 1 kilogram of CO₂ per 0.8 cubic metres of net engine space; and
 - (b) provided with a minimum of 2 kilograms of CO₂.

- (4) AFFF fire extinguishing systems must be—
 - (a) capable of discharging into the engine space 1.5 litres, per nozzle, per 1.5 cubic metres of net engine space; and
 - (b) provided with a minimum of 4 litres of AFFF and a minimum of 2 nozzles.
- (5) If an alternative type of fixed extinguishing system is used, the system must—
 - (a) not be halon based; and
 - (b) be acceptable to the Chief Executive Officer.

15.0 Portable fire extinguishers

- (1) Commercial jet boats must carry at least 1 CO₂ fire extinguisher of 2 kilogram minimum capacity or at least 1 AFFF fire extinguisher of 2 litres minimum capacity.
- (2) All portable fire extinguishers must be—
 - (a) suitable for extinguishing oil fires;
 - (b) safely stowed away from engine and fuel tanks; and
 - (c) readily available to the driver.

16.0 Communications equipment

Each commercial jet boat must have a transceiver radio or other means of communication acceptable to the Chief Executive Officer.

17.0 Personal flotation devices

- (1) Each person on board a commercial jet boat must be provided with a personal flotation device that complies with sub-paragraph (2) or (3).
- (2) Except as provided in sub-paragraph (3), the personal flotation device must be of a type 401, type 402, or type 406 specialist personal flotation device except that the device does not need to be fitted with light retro-reflective tape.
- (3) The Chief Executive Officer may accept the use of another type of personal flotation device equivalent to types 401, 402 or 406.

18.0 Other equipment to be carried on commercial jet boats

- (1) The following equipment must be carried whenever a commercial jet boat is on the water—
 - (a) a rope, which can be used to pull and secure the boat safely to the embankment or foreshore if its engine fails, that is—
 - (i) not less than 12 millimetres in diameter;

- (ii) not less than 4 metres in length;
 - (iii) permanently attached to a bow eye; and
 - (iv) stowed so that it cannot enter the water and foul the jet unit;
- (b) a spare plug for any drain hole;
 - (c) a first aid kit in a waterproof container with sufficient quantities, for the number of passengers carried; and
 - (d) at least 3 hand-held flares or an alternative acceptable to the Chief Executive Officer.
- (2) Commercial jet boats undertaking thrill-type trips must carry a throw bag with a minimum of 10 metres of buoyant line.

19.0 General equipment and clothing

All equipment and clothing used for the commercial jet boating operation must be—

- (a) kept in good condition;
- (b) supplied in sufficient quantity; and
- (c) available in an adequate range of sizes.

SCHEDULE 3—FEES AND CHARGES FOR JET BOATS OPERATIONS (Regulation 6)

<i>Item No.</i>	<i>Prescribed fees</i>	<i>Rate \$ (VAT Exclusive)</i>
1.	Application and approval fees Receiving and processing application Assessment of application Processing and issuance of Commercial Jet Boat operation certificate	\$ 75.00
2.	Initial audit of commercial jet boat safe operational plan, facilities and inspection of jet boats standards	\$ 500.00
3.	Annual verification audits of safe operational plan, facilities and inspection of jet boats standards.	\$ 250.00
4.	Approval for modification or changes to Commercial Jet Boat Safe Operational Plan	\$ 75.00
5.	Application for Commercial Jet Boat Driver Licence	\$ 25.00
6.	Assessment, processing and issuance of Commercial Jet Boat Driver Licence	\$ 75.00
7.	Revalidation of Commercial Jet Boat Driver Licence	\$ 75.00