



Australian Government
Seafarers Safety, Rehabilitation
and Compensation Authority

ANNUAL REPORT 2017-18

SEACARE



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Contact officer

For further information concerning this publication, please contact:

Seafarers Safety, Rehabilitation and Compensation Authority

GPO Box 9905
CANBERRA ACT 2601

Phone: (02) 6275 0070

Facsimile: (02) 6275 0067
Email: seacare@comcare.gov.au
Website: www.seacare.gov.au

Acknowledgement

Throughout this report the Seafarers Safety, Rehabilitation and Compensation Authority is referred to as the Seacare Authority. Seacare is the registered trading or business name of the Seacare scheme of occupational health and safety, rehabilitation and compensation.

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Letter of transmittal

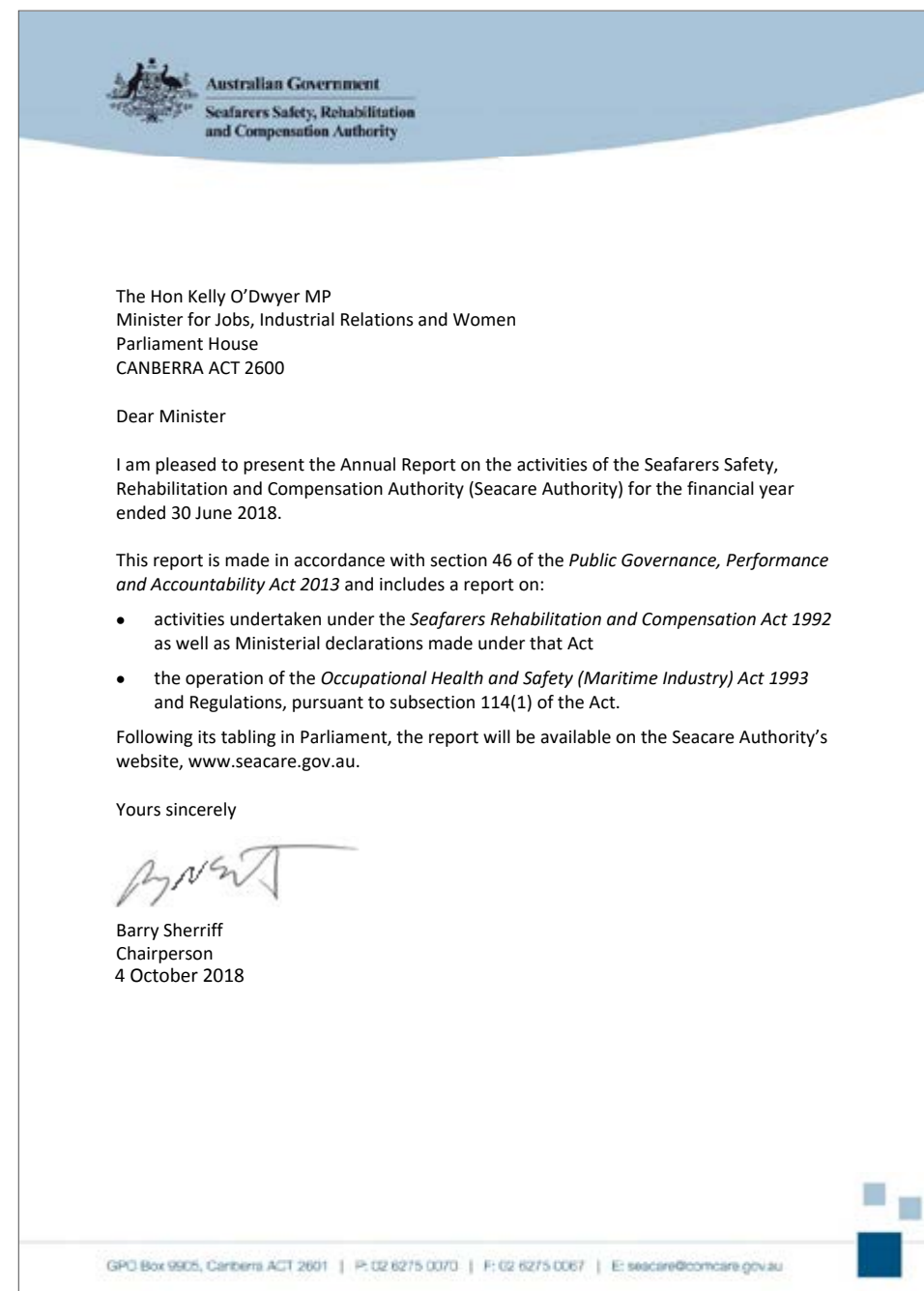


Table of Contents

Chairperson's report	1
2017–18 Seacare scheme snapshot	3
Chapter 1: The Seacare scheme	5
About the Seacare scheme	7
About the Seacare Authority	10
Chapter 2: Performance reporting	17
2017–18 scheme profile	19
Annual performance statements	20
Chapter 3: Management and accountability	37
Corporate governance	39
Appendix 1: Seacare Authority financial statements	43
Appendix 2: Exemptions granted under s20A of the Seafarers Act	67
Appendix 3: Seacare scheme employers, operators and ships	75
Compliance index	87
Glossary and index	95

List of tables

Table 1: Seacare Authority meeting attendance
Table 2: Seacare Authority purposes and Corporate Plan key result areas
Table 3: Injury prevention
Table 4: Levy collection summary
Table 5: Accredited health and safety representative training courses
Table 6: Annual OHS report
Table 7: Annual report requirements

Chairperson's Report



Chairperson's report

It gives me great pleasure to present this report to the Minister for Jobs, Industrial Relations and Women, the Hon Kelly O'Dwyer MP, and the Australian Parliament, on the operations of the Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority) for the year ending 30 June 2018.

I would like to acknowledge the valuable contributions made by all Members during the reporting period, and the assistance and support of the Secretariat.

Strategic focus

As required by section 35 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), the Seacare Authority developed, in consultation with relevant stakeholders, a Corporate Plan for 2017–18. The Seacare Authority Corporate Plan was developed in line with section 16E of the *Public Governance, Performance and Accountability Rule 2014*. The Seacare Authority has also worked closely with the Australian Maritime Safety Authority (AMSA) to progress the strategies and priorities outlined in the joint occupational health and safety plan 2013–2018 (OHS plan). This included setting priorities under that OHS plan for the 2017 and 2018 calendar years.

Further information regarding performance against the Corporate and OHS Plans throughout 2017–18 is in Chapter 2.

Exemptions by own motion

The Federal Court of Australia's decision in late December 2014, in the case of *Samson Maritime Pty Ltd v Noel Aucote* [2014] FCAFC 182 (Samson v Aucote), provided an interpretation on the coverage of the scheme that was significantly broader than the way that scheme coverage had been previously understood and applied. That is, that the scheme applied to all employees (as defined under the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act)) of a trading, financial or foreign corporation.

During 2017–18, the Seacare Authority reissued the exemptions previously granted by its own motion in 2017 to vessels that have been brought into the scheme because of the Samson v Aucote decision.

Further information on the changes to the scheme is contained in Chapter 1 of the report.

Safety Net Fund and levy collection

A key function of the Seacare Authority is the oversight and management of the Seafarers Safety Net Fund (the Fund). The Fund provides compensation benefits for injured workers when there is no existing employer to lodge the claim against.

In 2017–18, an actuarial assessment of the Fund was conducted. As a result, the Seacare Authority recommended, and the Minister agreed, to increase the levy rate from \$15 to \$25 per berth. This increase came into effect from 1 July 2018.

Seacare Authority governance, accountability and data

Cross agency agreement

The Seacare Authority and Comcare have an agreement in place (referred to as the cross agency agreement) in relation to the provision of, and remuneration for, specific services by Comcare, above the services provided under the Seafarers Act. The current agreement, which was implemented for a one-year period, expires in June 2019.

Strategic Risk Register

The Seacare Authority maintained its Strategic Risk Register throughout the year, including reviewing it to mitigate, as far as practicable, current and emerging risks.

Compendium report

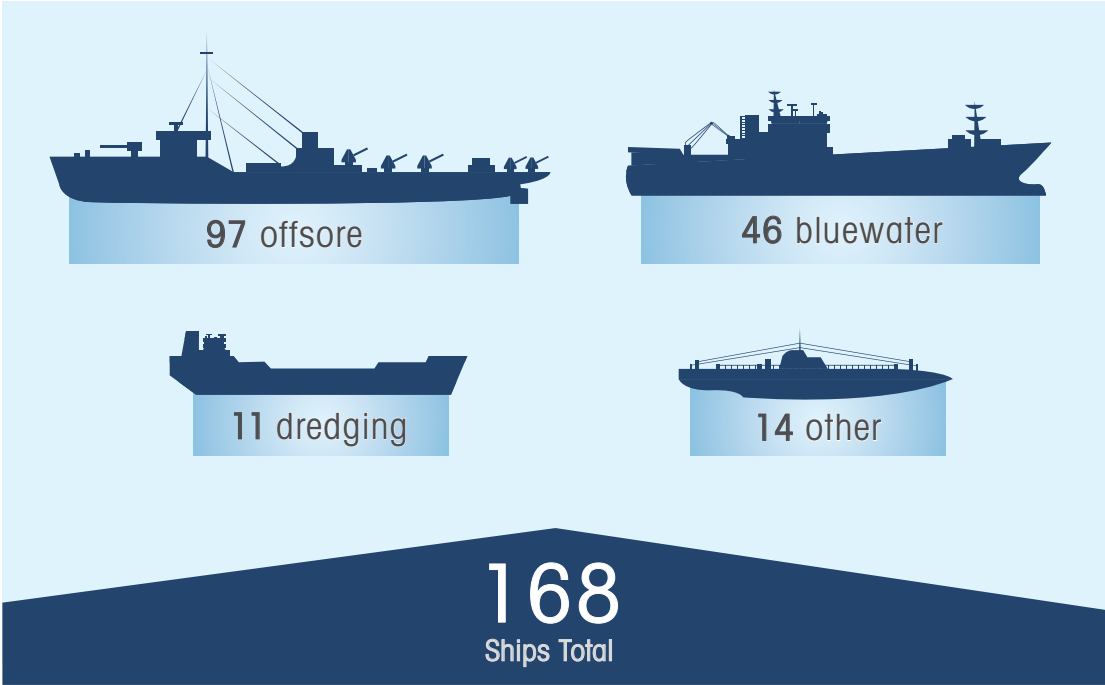
To complement the 2016–17 annual report, the Seacare Authority published a compendium of statistics which provided a comprehensive summary of scheme data and performance up to 2016–17. The compendium is available on the Seacare website. A similar compendium will be published for 2017–18 to complement this annual report.

I wish to acknowledge the important role of AMSA as the occupational health and safety (OHS) inspectorate for the Seacare scheme, and thank the staff of AMSA for their valuable contribution to the work of the Seacare Authority.

Finally, I would like to thank the staff of Comcare for their professional support, guidance and assistance.

Barry Sherriff
Chairperson
25 September 2018

2017-18
Scheme snapshot



CHAPTER 1:

THE SEACARE SCHEME



About the Seacare Scheme

About the Seacare Scheme

Seacare is a national scheme of occupational health and safety (OHS), rehabilitation and workers' compensation arrangements which applies to defined seafaring employees and—in relation to OHS—defined third parties.

The scheme is a privately underwritten workers' compensation scheme, with employers required to hold workers' compensation insurance to cover their liabilities under the Seafarers Act. Management responsibility of claims for workers' compensation rests with the employee's employer. This management responsibility is often outsourced to an employer's insurer or third party with claims management expertise. Premium income from these insurance policies does not contribute to the cost of scheme services, unlike arrangements in centrally-managed schemes.

The scheme incorporates the Seafarers Safety Net Fund (the Fund) which is a 'safety net employer' to stand in place of an employer if a default event¹ occurs. The Fund enables injured seafarers to lodge a claim even when there is no employer to make a claim against. In such circumstances, the Fund will determine any claim and may accept liability for any eligible benefits. Where there was a workers' compensation insurance policy covering the employee under the Seafarers Act, the Fund has the same rights as the insured employer to recover costs from that insurer.

The Fund is maintained through the collection of money from scheme employers under the *Seafarers Rehabilitation and Compensation Levy Act 1992* (Levy Act) and the *Seafarers Rehabilitation and Compensation Levy Collection Act 1992* (Levy Collection Act). The Minister determines, in consultation with relevant stakeholders, the appropriate rate of levy payable by employers before making a regulation prescribing the rate.

In 2017–18, the levy rate was increased from \$15 to \$25 per berth. This increased rate took effect from 1 July 2018.

Further information about the scheme is available on the Seacare website.

Seacare scheme coverage

Samson v Aucote

On 22 December 2014, the Federal Court of Australia unanimously decided in the case of *Samson Maritime Pty Ltd v Noel Aucote* [2014] FCAFC 182 (Samson v Aucote) that sections 19(2)–(4) of the Seafarers Act extend the operation of the Act beyond the limited circumstances set out in section 19(1). Based on the Federal Court's decision, the scheme applies to any employee of a trading, financial or foreign corporation without the limitation that the ship be engaged in trade or commerce beyond the boundary of a state or within a territory.

This decision substantially shifted the understanding of workers' compensation and work health and safety arrangements in the Australian maritime industry. Ships and employees that were historically considered to be covered by state arrangements may now be covered by the Seacare scheme.

Seacare Authority exemptions and Minister's Declarations

As a result of the Samson v Aucote decision, the Seacare Authority granted two exemptions by own motion from coverage by the Seafarers Act. In 2017–18, the Seacare Authority reissued these exemptions for a further period:

- > multiple vessels—Australian General Register, effective from 24 March 2018
- > multiple vessels—Domestic Commercial Vessels, effective from 21 April 2018

The Minister for Jobs and Innovation also made declarations under the *Occupational Health and Safety (Maritime Industry) Act 1993* (OHS(MI) Act) and the Seafarers Act that certain ships were not prescribed for the purposes of those Acts which commenced on 26 March 2015. These declarations were repealed with revised declarations made on 16 June 2015. These declarations are legislative instruments and were due to sunset two years after they took effect, however, the Minister renewed both declarations in 2017 without specifying a date for repeal.

The exemptions and declarations together ensure that these ships are not covered by the Seacare scheme and are instead covered by state legislation, as had been understood to be the case prior to the Samson v Aucote decision.

¹ A default event is defined under section 3 of the Seafarers Act.

About the Seacare Authority

Amendments to the Seafarers Act and other legislation

The *Seafarers and Other Legislation Amendment Bill 2016*, the *Seafarers Safety and Compensation Levies Bill 2016* and the *Seafarers Safety and Compensation Levies Collection Bill 2016* were introduced into Parliament on 13 October 2016 as the Seafarers Bills Package. The Seafarers Bills Package seeks to:

- > clarify the coverage of the Seacare scheme with clear coverage rules that operate consistently across jurisdictions while maintaining similar scope
- > provide modern and effective work health and safety laws by repealing the *Occupational Health and Safety (Maritime Industry) Act 1993* and extending coverage of the *Work Health and Safety Act 2011 (Cth)*
- > make long overdue and necessary updates to the workers' compensation provisions of the Seafarers to restore alignment with the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act)
- > transfer the functions of the Seacare Authority to the Safety, Rehabilitation and Compensation Commission (the Commission) and Comcare
- > enable the Chair of the Commission to create a Seacare Advisory Group comprising of industry and union representatives to advise the Commission and Comcare on matters relating to the administration of the Seacare scheme
- > ensure administrative bodies are adequately resourced.

The Seafarers Bills Package remains before Parliament at the end of 2017–18. The Department of Jobs and Small Business is undertaking further consultation to amend the Seafarers Bills Package with a reduced Seafarers Bills Package of consensus areas.

The Seafarers Special Account 2018 (the Safety Net Fund) exists to cover claims where an employer has become insolvent, bankrupt, or is otherwise unable to meet workers' compensation obligations. The Fund was continued by a determination made by the Minister for Finance on 23 February 2018 (see <https://www.legislation.gov.au/Details/F2018L00150>). To improve the fund's viability, on 21 June 2018 the regulations setting the amount of the levy that provides for the safety net fund were amended to increase the levy from \$15 to \$25 per berth per quarter (see <https://www.legislation.gov.au/Details/F2018L00870>). This amendment came into effect on 1 July 2018.

Responsible Minister

The Seacare Authority operates within the Jobs and Innovation portfolio. The Minister for Jobs, Industrial Relations and Women has the power to give directions to the Seacare Authority about the performance of its functions and the exercise of its powers.

Role, function and purpose

The Seacare Authority is a statutory body established under the Seafarers Act.

The Seacare Authority administers both the Seafarers Act and OHS(MI) Act. The inspectorate function under the OHS(MI) Act has been conferred on the Australian Maritime Safety Authority (AMSA). AMSA provides a regular report to the Seacare Authority on the performance of its functions.

The Seacare Authority has a number of powers and functions conferred on it to ensure the safety of employees covered under the OHS(MI) Act, as well as to ensure the early and safe return to work and access to compensation for injured employees under the Seafarers Act.

In addition, the Minister, by notice published under section 100, has declared the Seacare Authority to have the functions, powers and obligations of the Fund under the Seafarers Act.

The Seacare Authority's functions under the Seafarers Act are:

- > to monitor the operation of the Seafarers Act
- > to promote high operational standards of claims management and effective rehabilitation procedures by employers
- > to cooperate with other bodies or people with the aim of reducing incidence of injuries to employees
- > to publish material relating to the above functions
- > to formulate policies and strategies relating to the OHS of employees
- > to accredit OHS training courses for the purposes of section 47 of the OHS(MI) Act
- > to advise the Minister about anything relating to the Seacare Authority's functions and powers and other matters relating to the compensation and rehabilitation of employees
- > such other functions as are conferred on the Seacare Authority by the Seafarers Act or any other Act.

The Seacare Authority's functions under the OHS(MI) Act are to:

- > ensure, in accordance with the OHS(MI) Act and the regulations, that the obligations imposed by or under the Act and the regulations are complied with
- > advise operators, employees or contractors, either on its own initiative or on being asked, on OHS matters
- > collect, interpret and report information relating to OHS
- > formulate policies and strategies relating to the OHS of employees
- > accredit OHS training courses for the purposes of section 47
- > liaise with other bodies concerned with OHS
- > advise the Minister on:
 - > the most effective means of giving effect to the objects of the OHS(MI) Act
 - > the making of regulations under the OHS(MI) Act
 - > the approval of codes of practice under subsection 109(1).

Under the Levy Act the Seacare Authority must also advise the Minister on:

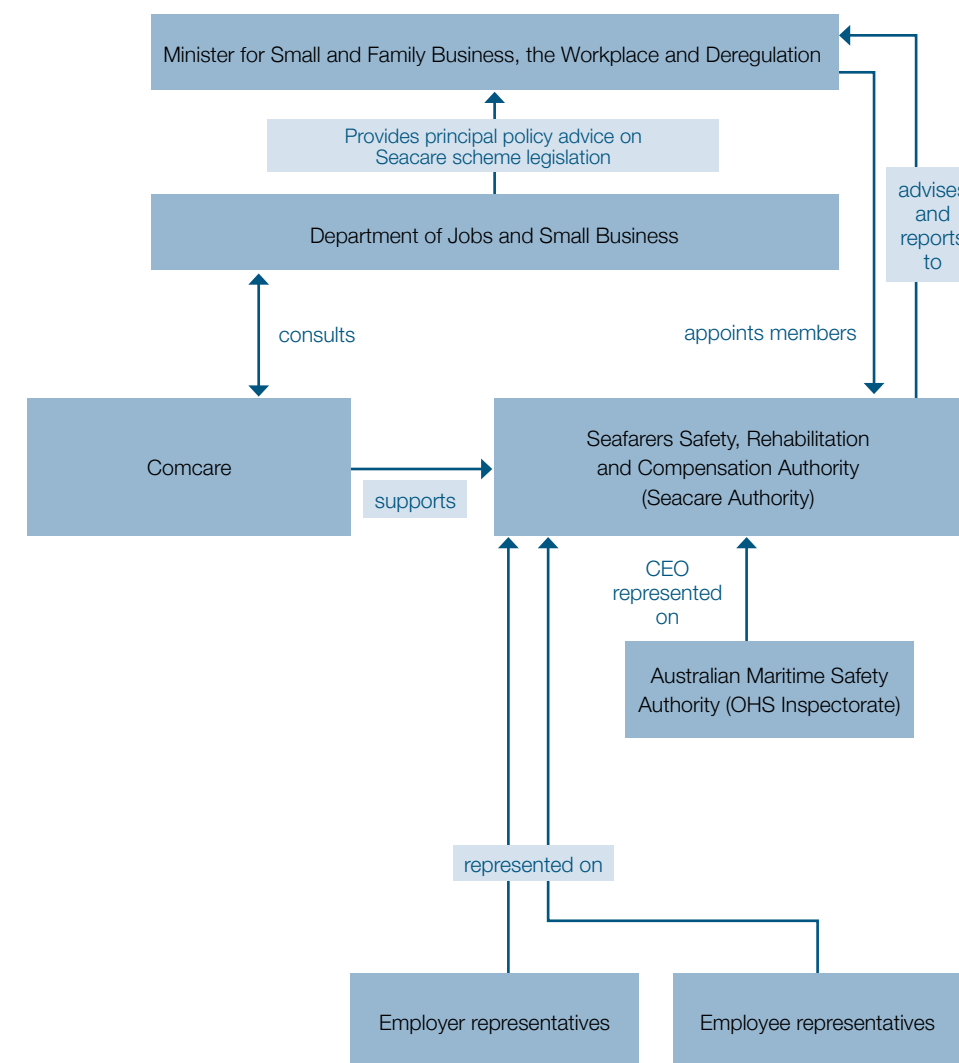
- > the need to ensure that the Fund has adequate financial reserves for its prudential management
- > reasonable estimates of the Fund's present and future liabilities under the Seafarers Act
- > the cost of administering the Seacare Authority in connection with the performance or exercise of the Fund's functions, powers and obligations.

The Seacare Authority is responsible for ensuring that employers comply with their obligations under the Levy Collection Act and Regulations.

The Seacare Authority's purposes are derived from its functions under the Seafarers Act and OHS(MI) Act. The purposes are to:

- > promote healthy and safe workplaces and appropriate and timely compensation for, and rehabilitation of, injured workers covered by the Seacare scheme
- > maintain a scheme safety net that is able to meet its liabilities.

Figure 1: Seafarers safety, rehabilitation and compensation scheme—as at 30 June 2018



Membership

The Seafarers Act provides for the Seacare Authority to have seven members, consisting of a Chairperson, Deputy Chairperson, two Members representing employers, two Members representing employees and the CEO of AMSA. Members are appointed by the Minister, except for the CEO of AMSA which is an ex officio appointment. Members other than the Chairperson and Deputy Chairperson may appoint a deputy, subject to the Minister's approval.

The Seacare Authority comprised the following Members during 2017–18:

- > Mr Barry Sherriff, Chairperson
- > Ms Jennifer Taylor, CEO of Comcare and Deputy Chairperson
- > Mr Dale Emmerton, General Manager, SeaRoad Shipping, representing employers
- > Ms Natasha Lindfield, Crewing Manager, Solstad Farstad ASA, representing employers
- > Mr Martin Byrne, Federal Secretary, Australian Institute of Marine and Power Engineers (AIMPE), representing employees (appointed to 14 July 2017)
- > Dr Penny Howard, National Research Officer, Maritime Union of Australia (MUA), representing employees (appointed on 7 September 2017)
- > Ms Meghann Papa, Industrial Officer, Australian Maritime Officers Union (AMOU), representing employees, representing employees (appointed on 7 September 2017)
- > Mr Mick Kinley, CEO of AMSA.

Operations of the Seacare Authority

The Seacare Authority meets at least once every three months with additional meetings held as required. Three members constitute a quorum if the following members are present:

- > the Chairperson or Deputy Chairperson
- > a member representing employer interests
- > a member representing employee interests.

The Seacare Authority held meetings on 14 September 2017, 30 November 2017, 28 February 2018, 12 April 2018 and 14 June 2018. Details of attendance at Seacare Authority meetings during 2017–18 are shown in Table 1.

Table 1: Seacare Authority meeting attendance

Members	Eligible to attend	Attended	Attended by deputy
Barry Sherriff	5	5	n/a
Jennifer Taylor	5	5	n/a
Dale Emmerton	5	5	-
Natasha Lindfield	5	4	1
Martin Byrne	0	0	-
Penny Howard	5	4	1
Meghann Papa	5	4	1
Mick Kinley	5	2	1

During 2017–18 the following Deputy Members attended Seacare Authority meetings:

- > Mr Simon White, Australian Mines and Metals Association (AMMA), Deputy to
- > Ms Lindfield
- > Mr Jamie Newlyn, Maritime Union of Australia (MUA), Deputy to Dr Howard
- > Mr Jarrod Moran, AMOU, Deputy to Ms Papa
- > Mr Stephen Curry, AMSA, Deputy to Mr Kinley.

Seacare Authority working groups

Code of Practice Working Group

Purpose: To consider whether the Australian Offshore Support Vessel Code of Safe Working Practice and the Code of Safe Working Practice for Australian Seafarers should continue in force as a Seacare Authority Code of Practice and, if so, to advise on any appropriate amendments to the contents.

Members (as at 30 June 2018): Michelle Grech (AMSA, Chair), Martin Byrne (AIMPE), Mick Cross (MUA), Ms Sarah Cerche (MIAL), Jarrod Moran (AMOU).

Health and Safety Representative (HSR) Training Course Accreditation Panel (Panel)

Purpose: To consider and provide recommendations to the Seacare Authority on training providers seeking accreditation of their HSR training courses for the purposes of section 47 of the OHS(MI) Act.

Members (as at 30 June 2018): Sarah Cerche (MIAL), Nathan Niven (AIMPE), Joanne Ng (AMSA).

Administrative support

The Seacare Authority is not a body corporate and does not employ its own staff. To enable it to perform its functions and exercise its powers, section 72A of the SRC Act requires Comcare to provide the Seacare Authority with secretariat support and other assistance, and to make available the services of such members of its staff as the Seacare Authority reasonably requires.

Comcare, under the Seacare Authority's direction, is responsible for:

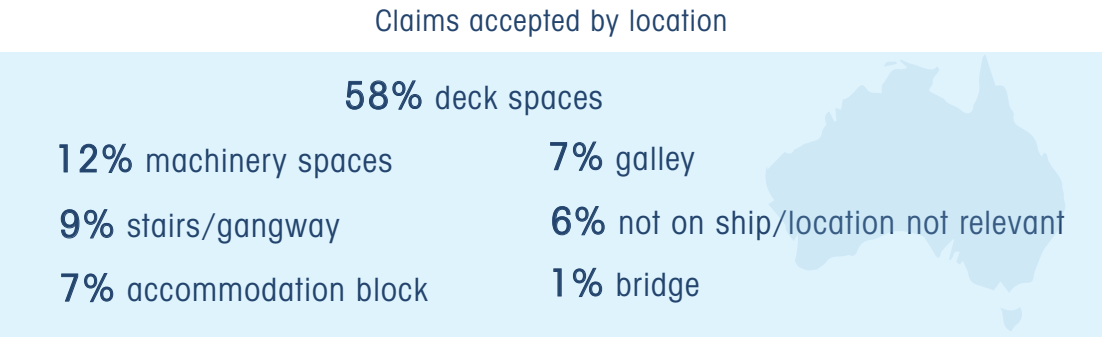
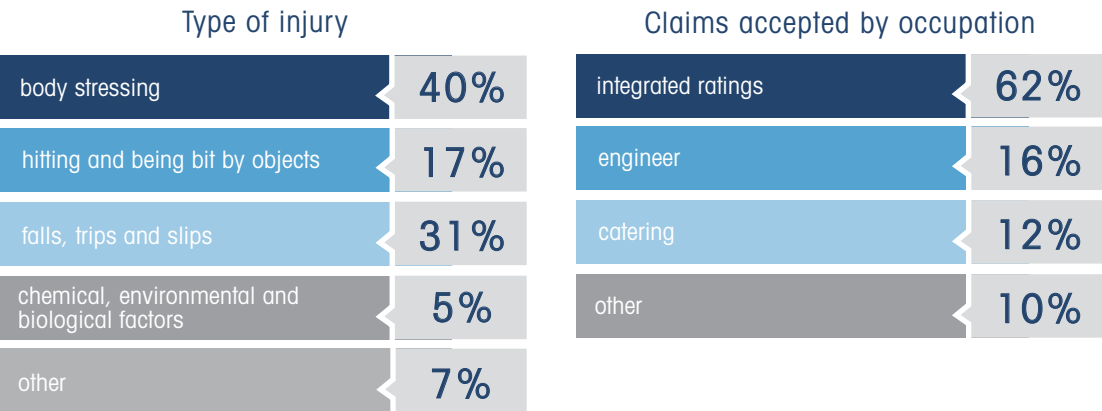
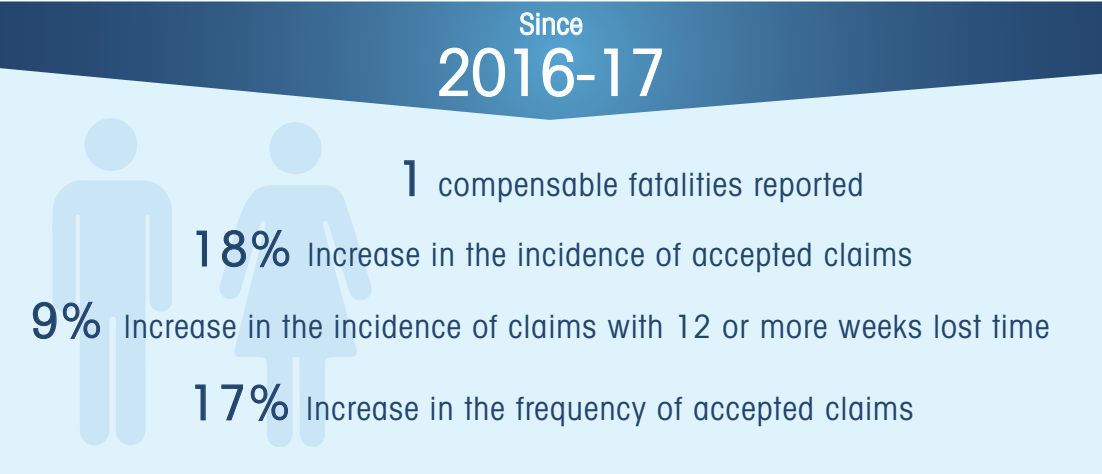
- > providing secretariat support to the Seacare Authority
- > managing the scheme's claims database
- > monitoring and reporting on Seacare scheme performance
- > preparing the annual report
- > reporting to the Minister
- > liaising and communicating with scheme stakeholders and other regulators
- > managing the annual appropriation for supporting the Seacare function
- > managing the Fund and levy collection
- > administering any claims made on the Fund.

During 2017–18 the Seacare Authority and Comcare had a cross agency agreement in place that articulated Fund related services and activities to be undertaken by Comcare on behalf of the Seacare Authority and the fee for the provision of these services.

CHAPTER 2: PERFORMANCE REPORTING



2017-18 scheme profile



Annual performance statements

I, Barry Sherriff, as the Chairperson of the Seacare Authority, present the 2017-18 annual performance statements of the Seacare Authority, as required under paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). In my opinion, these annual performance statements are based on properly maintained records, accurately reflect the performance of the Seacare Authority, and comply with subsection 39(2) of the PGPA Act.

Overview

The Seacare Authority's annual performance statements should be read in conjunction with the *Seacare Authority 2017-18 Corporate Plan*. The Seacare Authority does not have a Portfolio Budget Statement (PBS).

Seacare Authority 2017-18 Corporate Plan

The *Seacare Authority's 2017-18 Corporate Plan* defines its purpose to be to:

- > perform its statutory functions to promote healthy and safe workplaces and appropriate and timely compensation for, and rehabilitation of, injured workers covered by the Seacare scheme
- > maintain a scheme safety net that is able to meet its liabilities.

The Seacare Authority undertook a review of its Corporate Plan throughout 2017-18 to ensure that its performance criteria accurately measured progress against its functions, role and purposes. To this end, the Seacare Authority agreed to implement a range of updates to its performance measures going forward. These changes will be reflected in the Seacare Annual Report 2018-19.

Table 2: Seacare Authority purposes and Corporate Plan key result areas (KRAs)

Purpose	Link to Corporate Plan key result areas (KRAs)	
Perform its statutory functions to promote healthy and safe workplaces and appropriate and timely compensation for, and rehabilitation of, injured workers covered by the Seacare scheme	KRA1	Promotion of healthy and safe workplaces
	KRA2	Promotion of appropriate and timely rehabilitation and compensation
Maintain a scheme safety net that is able to meet its liabilities	KRA3	Fund sustainability

Purpose 1

Perform its statutory functions to promote healthy and safe workplaces and appropriate and timely compensation for, and rehabilitation of, injured workers covered by the Seacare scheme.

Performance criterion	Source
Number of accepted claims per 1000 full time equivalent (FTE) employees (incidence rate) and 1 000 000 hours worked (frequency rate)	Corporate Plan measure 1.1
Result	
<p><u>Target:</u> reduction in incidence and frequency rate from five year moving average to 2017–18</p> <p>Incidence rate: 34.7</p> <p>Frequency rate: 7.9</p> <p><u>Result:</u></p> <p>Incidence rate (claims per 1000 FTE): 37.8</p> <p>Frequency rate (claims per 1 000 000 hours worked): 8.8</p>	
Analysis	
<p>The targets for the incidence and frequency rates of accepted claims in 2017–18 were not met with an incidence rate of 37.8 and frequency rate of 8.8.</p> <p>In 2017–18, 126 claims were accepted, out of a total 132 claims lodged. There was an increase in the incidence and frequency of accepted claims in 2017–18 as compared to 2016–17, with both measures exceeding their respective targets.</p>	
Performance criterion	Source
Number of compensated fatalities	Corporate Plan measure 1.2
Result	
<p>Target: Zero compensated fatalities</p> <p>Result: One compensated fatality</p>	
Analysis	
<p>The target of zero fatalities was not met in 2017–18 with one compensated fatality. The Seacare Authority and AMSA, in its role as the Inspectorate for the Seacare scheme, work together to promote compliance with OHS obligations and protect scheme participants from risks to health and safety relevant to the maritime industry in an attempt to meet its target of zero compensable fatalities. Further information on the actions undertaken by the Seacare Authority in relation to this measure is provided at 'Performance against the <i>Seacare Authority/AMSA OHS Plan 2013–2018</i>'.</p>	

Performance criterion	Source
Number of serious claims (involving one-week lost time, non-commuting) per 1000 FTE	Corporate Plan measure 1.3
Result	
<p>Target: 27.5—reduction in rate of serious claims year on year (based on the five previous years moving average)</p> <p>Result: 29.4</p>	
Analysis	
<p>The target of 27.5 serious claims per 1000 FTE was not met in 2017–18 with a result of 29.4. In 2017–18 there were 98 claims that had one or more week of lost time. Whilst the incidence of serious claims in 2017–18 did not meet target, there is still an overall reduction in the incidence rate over time from 33.2 claims per 1000 FTE in 2012–13. The 2017–18 outcome is the second best outcome for this measure since 2012–13.</p>	
Performance criterion	Source
Satisfaction of Authority Members with AMSA papers	Corporate Plan measure 1.4
Result	
<p>Target: AMSA provides a report to the Seacare Authority at each of its regular meetings on its inspectorate role and any additional matters requested by the Seacare Authority</p> <p>Result: AMSA provided a report on its inspectorate role to the Seacare Authority at four out of five of its regular meetings. In addition, the Seacare Authority requested a report on one additional matter which AMSA provided.</p>	
Analysis	
<p>Under subsection 82(c) of the OHS(MI) Act, AMSA, as the Inspectorate, has a function to provide the Seacare Authority with such information as is asked for by the Authority. AMSA undertakes this function by providing a report to the Seacare Authority at each of its regular meetings.</p> <p>AMSA provided a report on its inspectorate role at each of the Seacare Authority's four face-to-face meetings. The Seacare Authority did not request for a report to be provided at its April 2018 teleconference meeting. There was one occasion on which AMSA was requested by the Seacare Authority to provide additional information in relation to safety culture survey work being undertaken</p>	

by AMSA. AMSA provided updates on this work through each of its regular reports and additionally provided a separate paper to the Seacare Authority at its February 2018 meeting in which AMSA provided a draft report from the survey and advised of key outcomes. Further information was provided by AMSA in meetings of the Seacare Authority to expand on matters noted in its papers, assisting the Seacare Authority to consider all relevant matters.

Performance criterion	Source
Satisfaction of Seacare Authority Members with quality of Health and Safety Representative (HSR) accreditation papers	Corporate Plan measure 1.5
Result	
Target: The Seacare Authority is able to award accreditation in line with the HSR Accreditation Guidelines based on a single presentation of accreditation papers	
Result: The Seacare Authority reviewed one HSR training course in 2017–18 and awarded accreditation based on a single presentation of accreditation papers	
Analysis	

The target against this measure was met in 2017–18 with the Seacare Authority awarding accreditation to the one HSR training course it reviewed in the period based on a single presentation of accreditation papers. The Seacare Authority has a function, under s104(f) of the Seafarers Act to accredit OHS training courses for HSRs. The Seacare Authority has created an accreditation panel to assist it with the consideration of an application for accreditation of a HSR training course. The panel assesses courses submitted for accreditation and has an advisory role to the Seacare Authority on whether a course satisfies the requirements outlined in these Guidelines including the mandatory skill development activities, training objectives and learning outcomes. The papers presented to the Seacare Authority must outline the findings and recommendations of the panel to enable it to make a final decision regarding the accreditation of a course.

Performance criterion	Source
Current return to work rate (percentage of injured workers who have returned to work and still at the time of participating in the National Return to Work Survey)	Corporate Plan measure 1.6
Result	
Target: > 70 per cent each year Result: 68 per cent	

Analysis

The target for the current return to work rate was not met with only 68 per cent of injured workers reporting that they had returned to work and were still at work at the time of participating in the National Return to Work Survey. The result represents an improvement from the last time the Survey took place in 2016 which reported a current return to work rate of 64 per cent.

Return to work outcomes in the maritime industry are affected by the limited availability of temporary suitable alternative duties for seafarers; reduced hours and modified duties are often not available on a ship at sea and seafarers must satisfy strict 'fit for sea duty' requirements before returning to sea. In addition, where injured seafarers are returned to their home ports following an injury, the availability of suitable duties in some locations—as well as access to skilled rehabilitation providers—can be limited.

Performance criterion	Source
Percentage of claims where actual determination is within statutory time limits	Corporate Plan measure 1.7
Result	
Target: >80 per cent each year Result: 74 per cent	
Analysis	

The Seafarers Act outlines that claims relating to death must be determined within 60 days, claims relating to permanent impairment must be determined within 30 days and claims relating to incapacity for work, loss of or damage to property or cost of medical treatment must be determined within 12 days of an employer receiving the claim.

The target for the percentage of claims where determinations were within statutory time limits of 80 per cent was not met in 2016–17, with only 74 per cent of determinations reported made within the relevant timeframes. However, the 2017–18 outcome of 74 per cent is markedly improved on the 2016–17 outcome of 65.6 per cent. Timeliness of determinations can be affected by a range of factors including the availability of relevant medical evidence and complexity of the claim. The Seacare Authority does not collect data on the reasons for determinations being made outside the statutory timeframes, but will continue to work with employers to improve performance against this measure, including ensuring employers are aware of the process by which they may request an extension of time from the Seacare Authority to determine a claim.

It should be noted that, while the Seacare Authority has a function to promote high operational standards of claims management, which includes the timely determination of claims, it is not directly involved in the determination or management of individual claims made under the Seafarers Act, rather, this is the responsibility of the employer. The timely determination of claims is a matter in which the Seacare Authority can promote a 'best practice' approach, but is unable to influence directly.

Performance criterion	Source
Scheme guidance is assessed as being easily accessible, up to date and appropriate	Corporate Plan measure 1.8
Result	
Target: Feedback indicates that scheme stakeholders are, on average, satisfied with the availability, currency and content of guidance on claims management	
Result: N/A	
Analysis	
<p>The Seacare Authority sought feedback from Seacare scheme stakeholders on its claims management guidance materials. Stakeholders did not indicate their satisfaction with the availability, currency and content of the guidance material. Rather, the only feedback received indicated that there was a low level of awareness amongst scheme participants that the guidance materials existed and that those people that were aware infrequently utilised the material but would support a refresh of the guidance.</p> <p>While there have been minimal updates to the Seafarers Act in recent years that would necessitate significant changes to its claims management guidance materials, the Seacare Authority recognises the need to review its materials at regular intervals to ensure that the guidance remains relevant, accurate, and reflective of better practice claims management practices. To this end, and in line with the feedback received from scheme participants, the Seacare Authority will begin a wider review of its claims management and other guidance documents in 2018–19 as well as considering a review schedule to ensure its materials are reviewed and updated on a regular basis. As part of this review, the Seacare Authority will also consider how best to promote its guidance materials to ensure that scheme participants are aware of its availability.</p>	

Performance criterion	Source
Number of claims with 12 weeks or more lost time (excluding commuting) per 1000 FTE	Corporate Plan measure 1.9
Result	
Target: 13.3—reduction in rate of claim with 12 weeks or more lost time year on year (based on previous five years moving average)	
Result: 12.0	
Analysis	
<p>The target for the number of claims with 12 weeks or more lost time per 1000 FTE was not met with a result of 12.0.</p> <p>In 2017–18 there were 40 claims that had 12 or more weeks of lost time.</p> <p>The performance against this measure has fluctuated over the last five financial years, from 10.9 in 2015–16 up to 15.9 in 2014–15. Overall, there has been a general reduction in the incidence of claims with 12 or more weeks lost time since 2014–15.</p>	

Performance criterion	Source
Percentage of reporting and payment obligations under the Seafarers Act and Levy Collection Act provided within timeframes	Corporate Plan measure 1.10
Result	
Target: 100 per cent compliance each year	
Result: 88 per cent	
Analysis	
<p>The target of 100 per cent compliance with reporting timeframes has not been met with a result of 88 per cent. However, performance against this measure has improved since the previous financial year in which only 78 per cent of reporting obligations were provided within the legislated timeframes. The Seacare Authority does not collect data on the reasons for non-compliance.</p> <p>There are sanctions under the relevant legislation for non-compliance with some reporting obligations however it has not been the practice of the Seacare Authority to pursue prosecutorial action. The</p>	

Seacare Authority instead works closely to assist those employers and operators who are at risk of failing to meet required timeframes. To this end, the Seacare Authority finalised a review of its notice and compliance procedures in 2017–18 with an aim to improve the timeliness of engagement with scheme employers to encourage compliance. The updated procedures formalised the steps expected to be taken by the Seacare Authority in reminding employers of their reporting obligations at various intervals prior to the due date as well as introduced a process for escalation where an employer has not complied with their obligations. These procedures were published on the Seacare website in October 2017 and provided to all scheme employers.

Purpose 2

Maintain a scheme safety net that is able to meet its liabilities.

Performance criterion	Source
Percentage and dollar value of Safety Net Fund against target	Corporate Plan measure 2.1
Result	
Target: \$1 025 000—Fund audited financial statements indicate assets equal to or greater than reserve Result: \$1 220 072	
Analysis	
The Fund's reserves for 2017–18 were met with \$1 220 072 in assets. Further information on the Fund's performance is provided under 'Discussion and analysis of the financial performance'.	

Performance against the Seacare Authority/AMSA OHS Plan 2013–2018

The Seacare Authority and AMSA have a joint OHS Plan 2013–2018. Under this plan, the agencies are required to develop a joint annual OHS plan to cover priorities and programs for OHS awareness and education, OHS prevention and compliance.

The following priorities were set by the Seacare Authority to be the joint OHS plan for 2017 and 2018:

- > develop OHS focus amongst industry leaders and throughout maritime culture
- > promote health, wellbeing and resilience
- > promote the importance of Health and Safety Representatives in the workplace and in prevention of injuries
- > prevent asbestos related injuries
- > improve reporting of incidents and dangerous occurrences
- > contribute towards harmonisation of OHS laws as part of scheme review.

Table 3: Injury prevention

2017–18 OHS priorities		
From the Seacare Authority/AMSA OHS Plan 2013–2018	Activities completed under this priority in 2017–18	
Develop OHS focus amongst industry leaders and throughout maritime culture	Conduct activities that focus on safety culture, leadership and change	<ul style="list-style-type: none"> > AMSA, in conjunction with the University of Queensland and the University of Western Australia, undertook a study to examine seafarers' safety and wellbeing by examining the influence of organisational safety culture. > A report on the results of the study was published and promoted via AMSA's website. The report provided information on the causes and consequences of safety culture and the subsequent effects on seafarer wellbeing. > A presentation was completed on the Safety Culture Project at the MIAL Safety Forum Luncheon in October 2017. > AMSA published safety bulletins on: <ul style="list-style-type: none"> > risk assessment > fatigue. > AMSA has led and contributed to the revision of the International Maritime Organization (IMO) Guidelines on Fatigue with the work completed on 20 July 2018. The Guidelines will be released in November following approval by the IMO Maritime Safety Committee.
Promote health, wellbeing and resilience	Promote health, wellbeing and resilience through various communication channels	<ul style="list-style-type: none"> > A feature article promoting R U OK? Day (on 14 September 2017) placed on the Seacare website on 8 September 2017. > The promotion of mental health is an ongoing agenda item at the Australian Seafarer Welfare Council (ASWC) meetings chaired by AMSA.

2017–18 OHS priorities		
From the Seacare Authority/AMSA OHS Plan 2013–2018		Activities completed under this priority in 2017–18
	Promote awareness of mental health issues in the maritime industry	<ul style="list-style-type: none"> > AMSA published a Safety Bulletin on Mental Health, which it distributed to welfare groups around Australia and published on its website. > The Seacare Authority began the planning and preparation of mental health workshops to be delivered in November 2018 and which aim to provide information on, and facilitate discussion around how to support and encourage mentally healthy workplaces in the maritime industry
Promote the importance of HSRs in the workplace and in prevention of injuries	<p>Attendance at and audit of accredited HSR training courses</p> <p>Present at accredited HSR training courses</p> <p>Union promotion of HSRs to members through websites and other media</p> <p>Authority promotion of HSRs through websites and other media</p>	<ul style="list-style-type: none"> > The Seacare Authority and AMSA developed a HSR pamphlet and distributed to stakeholders. > AMSA tracks presentations conducted by its inspectors through regional managers. There was one HSR presentation given in Perth on 29 August 2017. > A survey to gather information on the views and experiences on HSRs was conducted between 31 May 2017 and 31 July 2017 and was promoted to The scheme via a range of different channels. The survey gathered information on: <ul style="list-style-type: none"> > HSR training courses > the availability of HSR related resources > the extent to which their workplace involves them in relevant OHS activities. > The results of the survey were reviewed by the Seacare Authority to identify themes and issues. > A review of the HSR guidance material available on the Seacare website was undertaken which resulted in additional guidance being published on the following: <ul style="list-style-type: none"> > operator responsibilities to HSRs > issuing a provisional improvement notice (PIN) > risks and hazards in the maritime industry.

2017–18 OHS priorities		
From the Seacare Authority/AMSA OHS Plan 2013–2018		Activities completed under this priority in 2017–18
Prevent asbestos related injuries	<p>Maintain and circulate guidance material and information brochures</p> <p>AMSA to continue to promote awareness directly with industry</p>	<ul style="list-style-type: none"> > AMSA produced a Marine Notice on Asbestos in 2014. The information in this Notice remains current and continues to be made available via AMSA's website. > AMSA attended the 'Standards Australia' Asbestos Identification roundtable in December 2017 and continues to receive industry updates. There have been two forums since the roundtable; AMSA has not attended these. The objective of the forum was to identify and select the option (way forward) that 'best achieves a standards-based approach for asbestos identification that is clear, functional and technically appropriate and relevant to Australia's regulatory environment'. The forums have identified two options as a potential way forward: <ol style="list-style-type: none"> 1. Modified International Standards 2. Revision of AS 4964. > AMSA continues to maintain a strong position against the use of asbestos at the International Maritime Organisation. > AMSA communicates Australia's restrictions on the import of asbestos to vessel operators, especially when vessels are brought in for service in the Australian maritime industry.
Improved reporting of OHS incidents and dangerous occurrences	<p>Ensure awareness of and compliance with reporting obligations</p> <p>Ensure effective operation of OHS compliance and enforcement strategy</p>	<ul style="list-style-type: none"> > AMSA regularly receives and answers queries on how to report incidents or complaints. > AMSA's website has been updated to better guide stakeholders in completing the relevant incident reports. > The incident report forms have been updated and simplified to allow for easier reporting. > AMSA has a compliance strategy in place to respond to incident notifications.

2017–18 OHS priorities		
From the Seacare Authority/AMSA OHS Plan 2013–2018	Activities completed under this priority in 2017–18	
Contribute to harmonisation of OHS laws as part of scheme review	Contribute to Seacare scheme review	> The Department of Jobs and Small Business advised the Seacare Authority on the progress reforms to the Seacare scheme, including the outcomes of consultation between it and scheme stakeholders throughout the financial year.

Discussion and analysis of the financial performance

Seafarers Safety Net Fund

Scheme sustainability continues to be a key priority for the Seacare Authority.

At the end of June 2018, the Fund held sufficient assets to meet the target reserve of \$1 025 000.

Insurance was in place for the Fund at all times during the financial year as required under section 102 of the Seafarers Act. The insurance was held with an authorised insurer for any amount of the Seacare Authority's liability under the Seafarers Act that exceeds \$1 million for a single event which results in an injury to one or more seafarers.

Liability for one claim was accepted against the Fund during the period.

This claim manifested as it was lodged against the Fund during the window following the Aucote decision and before the introduction of the Amendment Act into Parliament.

The provisions in the financial statements reflect this claim.

Details on the income and costs associated with the Fund are detailed in the audited financial statements (Appendix 1).

Levy collection

Employers in the scheme are required to report berths numbers, and pay levy berths, on a quarterly basis. In 2017–18, \$114 825 was collected in levies from Seacare scheme employers. Levy payments were made by 27 employers throughout the course of the year.

Levy collection results for the last five years are set out in Table 5.

Table 4: Levy collection summary

	Number of employers paying levy	Average berths per quarter declared by employers	Levy rate	Levy payable
2013–14	34	2589	\$15	\$155 310
2014–15	36	2522	\$15	\$151 290
2015–16	31	2255	\$15	\$135 300
2016–17	27	1619	\$15	\$97 140
2017–18	27	1914	\$15	\$114 825

Exemption from payment of levies

Under section 20A of the Seafarers Act, the Seacare Authority may exempt employers from the application of the Seafarers Act. Schedule 2 of the Amendment Act amends section 20A so that an exemption under this section also applies to the Levy Act 1 and the Levy Collection Act.

The schedule 2 amendments take effect from the day the Amendment Act received Royal Assent. Employers who are covered by a section 20A exemption no longer need to make a levy return and pay levies for the exempt vessel from the date the schedule 2 amendments take effect.

Performance of statutory functions

Providing advice to the Minister

The Seacare Authority provides advice to the Minister on its powers and functions regarding scheme legislation and on matters including compensation, rehabilitation, the making of OHS regulations and approval of codes of practice, as well as on the management of the Fund.

The Seacare Authority, through its Chairperson, maintains regular communication with the Minister on outcomes arising from its work and according to resolutions made at its meetings. During 2017–18, the Chairperson advised the Minister on matters including:

- > the operation of the scheme, including scheme performance
- > the management and operation of the Fund
- > the Seacare Authority governance arrangements
- > the reissue of the two exemptions by own motions (following the Samson v Aucote decision)
- > the finalisation of the Code of Practice for Health and Safety in Shipboard Work, including Offshore Support Vessels.

Insurance arrangements

Under section 93 of the Seafarers Act, an employer must have a policy of insurance from an authorised insurer or be a member of a protection and indemnity association (P&I Club) that is a member of the International Group of Protection and Indemnity Associations and is approved in writing by the Seacare Authority. Section 93 requires that each employer is insured or indemnified for the full amount of their liability under the Seafarers Act for all seafarers employed.

Under sections 94 and 95 of the Seafarers Act an employer is required to provide the Seacare Authority with information relating to its insurance coverage within 14 days of being issued with, or renewing, a policy of insurance or indemnity. During 2017–18, the Seacare Authority monitored compliance with section 94 of the Seafarers Act and ensured that employers' insurance arrangements were recorded on the Seacare Authority's online reporting system, Seacare Online.

Based on the information provided by employers, there were six insurers providing workers' compensation policies under the Seafarers Act. While the Seacare Authority is able to approve arrangements for workers' compensation cover through P&I Clubs, there are currently no P&I Clubs approved by the Seacare Authority to provide such cover. Details on the insurers providing cover under the Seafarers Act are available from the Seacare website.

Accreditation of health and safety representative training courses

HSRs, to perform their responsibilities under the OHS(MI) Act, must undertake an accredited HSR training course. The Seacare Authority is responsible for accrediting these training courses to ensure they meet the highest national standards.

For 2017–18, there were four accredited HSR training courses.

Australian Maritime Safety Consultants (accredited until 22 September 2018)	Ferriby Group of Companies (Australia) Pty Ltd (accreditation expired 20 May 2018)
Industrial Foundation for Accident Prevention (accredited until 7 June 2021)	Training & Safety Consultants Pty Ltd (accreditation expired 20 May 2018)

- > Training & Safety Consultants Pty Ltd did not apply for its course to be re-accredited following its expiry in May 2018.
- > Ferriby Group of Companies (Australia) Pty Ltd has applied to be re-accredited following its courses expiring in May 2018. The re-accreditation application is currently being considered by the Seacare Authority.

Table 6 summarises the training delivered over the last five years. It indicates that the number of courses held in 2017–18 and the number of seafarers undertaking accredited HSR training is lower than in the previous four reporting periods but an increase in the number of completions compared to the previous reporting period.

Table 5: Accredited health and safety representative training courses

	2013–14	2014–15	2015–16	2016–17	2017–18
Courses delivered	19	22	15	11	5
Completions	207	214	122	142	51

Source: Providers of Seacare scheme accredited HSR training courses

Performance of statutory functions under delegation

The Seacare Authority has a variety of statutory functions. As it has no staff or resources of its own, and as provided for under section 125(1) of the Seafarers Act, the Seacare Authority delegated some of its powers and functions to Comcare staff to undertake on its behalf.

Exemptions under section 20A of the Seafarers Act

An employer may apply to the Seacare Authority under section 20A for an exemption from the application of the Seafarers Act with respect to a particular employee, group of employees, or employees on a particular ship. The Seacare Authority has guidelines that describe the procedure for, and the circumstances under which it will consider, granting an exemption.

In 2017–18, the Seacare Authority granted 49 exemptions for nine employers in relation to 73 vessels in accordance with its exemption guidelines. Seventeen of the exemptions were granted in accordance with the 2006 Ministerial Direction to the Seacare Authority that its exemption guidelines provide for an employer to seek a section 20A exemption (under the Seafarers Act) where they are able to find workers' compensation insurance under a state or territory scheme at a cost lower than that available under the Seacare scheme.

Appendix 2 provides a list of the exemptions granted between 1 July 2017 and 30 June 2018.

Collection and use of data

Consistent with its functions and powers under both the Seafarers Act and the OHS(MI) Act and supporting legislation, the Seacare collects data from employers through the following sources:

- > employee and ship details surveys, which provides data in relation to employee numbers, ship information and the calculation of full-time equivalent (FTE) employees

- > claim determination reports and claim updates for the number of claims lodged and compensation paid against all active claims
- > berth and levy reports against the Fund
- > insurance policies.

The collected data is used to monitor compliance with employer obligations as well as to assist the Seacare Authority to monitor and report on the operation of the scheme through analysis against scheme level performance indicators and trends.

In 2017–18 the Seacare Authority published the *2016–17 Seacare Compendium Report*, available on the Seacare website, which presents a comprehensive scheme level report on OHS, workers' compensation and return to work statistics and data to complement the 2016–17 Annual Report.

Annual occupational health and safety report

AMSA performs the OHS inspectorate function under the OHS(MI) Act. Its responsibilities are to:

- > ensure compliance with the requirement to report serious personal injuries, deaths, dangerous occurrences and other obligations under the OHS(MI) Act and Regulations
- > advise operators, employees or contractors on OHS matters
- > provide the Seacare Authority with information.

Together with the Seacare Authority, AMSA works toward promoting health, safety and welfare of seafarers under the OHS(MI) Act.

The Seacare Authority is required, under section 114 of the OHS(MI) Act, to prepare a report as soon as practicable after each 30 June, on the operation of that Act and the regulations during the year ending on that date. The requirements for this report are set out under subsection 111(2) of the OHS(MI) Act. The report is set out at Table 6.

Table 6: Annual OHS report

	2013–14	2014–15	2015–16	2016–17	2017–18
Incidents reported s 107					
Deaths	1	0	0	0	0
Serious personal injuries	38	43	42	22	16
Dangerous occurrences notified	7	11	10	8	0
TOTAL	46	54	52	30	16


	2013–14	2014–15	2015–16	2016–17	2017–18
Investigations s 87²					
TOTAL	57	97	93	79	70
Notices issued					
Prohibition Notices s 93	0	0	3	0	0
Deficiencies (including Improvement Notices s 98) ³	32	43	51	24	35
TOTAL	32	43	54	24	35
Prosecutions s 116					
Commenced	0	0	0	0	0
Completed	0	0	0	0	0
Other					
Marine Notices/Orders relevant to OHS	1	0	1	0	1
AMSA staff appointed as OHS inspectors s 84	44	46	55	55	49
Taking possession of plant, substances or things s 91	0	0	0	0	0
Directions given s 92	0	0	0	0	0
Appeals instituted against inspectors' decision s 100	0	0	0	0	0

Compared to 2016–17 there has been a decrease in the overall number of incidents reported to AMSA and investigations undertaken but an increase in the number of notices issued.

There were no dangerous occurrences reported in 2017–18, with all 16 incidents reported relating to serious personal injuries.

² This is a combination of both OHS(MI) and Flag State Control inspections as a result of Maritime Labour Convention, MLC 2006 entering into force.

³ When conducting a Flag State Control inspection, surveyors investigate OHS matters under the MLC (Reg 4.3). As such deficiencies may be issued under the Navigation Act 2012.



CHAPTER 3:

MANAGEMENT & ACCOUNTABILITY

The Seacare Authority is an independent statutory authority comprising a Chairperson and authority members, and is supported by a secretariat. In 2017–18 the Seacare Authority was bound by the *Public Governance, Performance and Accountability Act 2013*.

Risk management

In 2017–18, the Seacare Authority had a Strategic Risk Register in place. It was reviewed throughout the year as part of the Seacare Authority's governance arrangements to ensure it was current.

Fraud control

The Seacare Authority is committed to complying with the *Commonwealth Fraud Control Framework 2014*, in particular section 10 of the Public Governance, Performance and Accountability Rule 2014 to minimise the incidence of fraud.

The Chairperson, as the Accountable Authority, certifies that the Seacare Authority:

- > prepares fraud risk assessments and fraud control plans
- > has in place appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meets its specific needs
- > takes all reasonable measures to deal appropriately with fraud relating to the Seacare Authority.

Internal audit

The Seacare Authority's Audit and Risk Committee was set up in accordance with section 45 of the PGPA Act as a joint Comcare/Seacare Authority committee.

More information about the Audit and Risk Committee can be found in the *Comcare Annual Report 2017–18*.

External scrutiny

There were no reports by the Auditor-General on the operations of the Seacare Authority, other than the report on the annual financial statements set out at Appendix 1.

There were no reports on the operations of the Seacare Authority conducted by a Parliamentary Committee or the Commonwealth Ombudsman in 2017–18.

Freedom of information

Agencies subject to the *Freedom of Information Act 1982* (FOI Act) are required to publish information as part of the *Information Publication Scheme* (IPS). This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a section 8 statement in an annual report. Each agency must display on its website a plan showing what information it publishes in accordance with the IPS requirements. The Seacare Authority's Agency Plan and other categories of information specified by the IPS are available at www.seacare.gov.au via the Access to Information logo on the bottom of the homepage.

Multicultural access and equity

Data on culturally and linguistically diverse (CALD) Australians was collected through monitoring of helpdesk enquiries received. This data indicates that, of the 98 helpdesk enquiries received during 2017–18, only one was noted to be from CALD Australians.

The Seacare Authority reports on its access and equity activities and outcomes at the end of each financial year to the Department of Social Services as required by the Australian Government's Multicultural Access and Equity Policy.

Disability reporting

Since 1994, non-corporate Commonwealth entities have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007–08, reporting on the employer role was transferred to the Australian Public Service Commission's State of the Service reports and the APS Statistical Bulletin. These reports are available at www.apsc.gov.au. From 2010–11, entities have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by the National Disability Strategy 2010–2020, which sets out a 10-year national policy framework to improve the lives of people with disability, promote participation and create a more inclusive society. A high-level, two-yearly report will track progress against each of the six outcome areas of the strategy and present a picture of how people with disability are faring. The first of these progress reports was published in 2014, and can be found at www.dss.gov.au.

Advertising and market research

No advertising campaigns were undertaken in the period.

Service provision and consultancy arrangements

During 2017–18, two consultancy contracts were entered into involving an actual expenditure of approximately \$149 450 (inc GST). These were:

- > Provision of brokerage services to secure an insurance policy for the Fund for 2017–18
Consultant: AON Risk Services Australia Limited
Cost: \$45 450 (inc GST)
- > Provision of services in relation to the administration of the Fund and the management of the Seacare scheme claims database through the Cross Agency Agreement
Provider: Comcare
Cost: \$104 000 (inc GST)—paid from the Fund

There were no ongoing consultancy contracts that were active during the period.

Comcare supports the Seacare Authority with procurement activities. Comcare's policies and procedures are used when selecting and engaging consultants. Comcare has procurement arrangements that support small and medium enterprises, Indigenous businesses and disability enterprises.

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website.

Report on legal services expenditure

Paragraph 11.1 (ba) of the *Legal Services Directions 2005*, issued by the Attorney-General under the *Judiciary Act 1903*, requires chief executives of agencies subject to the *Public Governance, Performance and Accountability Act 2013* to ensure that their agency's legal services purchasing, including expenditure, is appropriately recorded and monitored. The provision also requires that, by 30 October each year, the agencies make publicly available records of the legal services expenditure for the previous financial year.

Legal services expenditure 1 July 2017–30 June 2018

Total external legal services expenditure—Nil
Total internal legal services expenditure—Nil
Total legal services expenditure—Nil

Internal legal services for the Seacare Authority is provided by Comcare, a corporate Commonwealth entity under the PGPA Act, pursuant to section 72A of the SRC Act. More information about the legal service expenditure incurred by Comcare can be found in the *Comcare Annual Report 2017–18*.

Corporate governance reported in Comcare annual report

As the Seacare Authority has no staff or assets of its own, the following annual reporting requirements relating to the Seacare Authority are detailed in the Comcare and Safety, Rehabilitation and Compensation Commission Annual Reports 2017–18:

- > corporate governance
- > management of human resources
- > procurement initiatives to support small business
- > purchasing
- > asset management
- > advertising and market research
- > occupational health and safety
- > ecologically sustainable development and environmental performance.

The Comcare and Safety, Rehabilitation and Compensation Commission Annual Reports 2017–18 is available at http://www.comcare.gov.au/annual_report

Report on non-compliance with the PGPA Act

For the financial year ended 30 June 2018, based on adequate controls, including the advice of management and the audit committee, the Seacare Authority has complied with the provisions and requirements of the PGPA Act and the PGPA Rules.

APPENDIX 1:

SEACARE AUTHORITY FINANCIAL STATEMENTS



Appendix: 1

Seacare Authority financial statements



INDEPENDENT AUDITOR'S REPORT

To the Minister for Jobs and Industrial Relations

Opinion

In my opinion, the financial statements of the Seafarers Safety, Rehabilitation and Compensation Authority for the year ended 30 June 2018:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Seafarers Safety, Rehabilitation and Compensation Authority as at 30 June 2018 and its financial performance and cash flows for the year then ended.

The financial statements of the Seafarers Safety, Rehabilitation and Compensation Authority, which I have audited, comprise the following statements as at 30 June 2018 and for the year then ended:

- Statement by the Accountable Authority and Comcare Chief Financial Officer;
- Statement of Comprehensive Income;
- Administered Schedule of Comprehensive Income;
- Administered Schedule of Assets and Liabilities;
- Administered Reconciliation Schedule;
- Administered Cash Flow Statement; and
- Notes to the financial statements comprising an Overview and other explanatory information.

Basis for Opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Seafarers Safety, Rehabilitation and Compensation Authority in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's Responsibility for the Financial Statements

As the Accountable Authority of the Seafarers Safety, Rehabilitation and Compensation Authority, the Chief Executive is responsible under the *Public Governance, Performance and Accountability Act 2013* for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Reduced Disclosure Requirements and the rules made under that Act. The Chief Executive is also responsible for such internal control as the Chief Executive determines is necessary to enable the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chief Executive is responsible for assessing the Seafarers Safety, Rehabilitation and Compensation Authority's ability to continue as a going concern, taking into account whether the entity's operations will cease as a result of an administrative restructure or for any other reason. The Chief Executive is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

GPO Box 707 CANBERRA ACT 2601
19 National Circuit BARTON ACT
Phone (02) 6203 7300 Fax (02) 6203 7777

Auditor's Responsibilities for the Audit of the Financial Statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Peter Kerr

Executive Director

Delegate of the Auditor-General

Canberra

25 September 2018

Seafarers Safety, Rehabilitation and Compensation Authority

Financial statements for the year ended 30 June 2018

Contents

Certification

Primary Financial Statements

- Statement of Comprehensive Income
- Administered Schedule of Comprehensive Income
- Administered Schedule of Assets and Liabilities
- Administered Reconciliation Schedule
- Administered Cash Flow Statement

Overview

Notes to the Financial Statements

1. Departmental Financial Performance
 - 1.1 Expenses
 - 1.2 Own-Source Revenue and Gains
2. Income and Expenses Administered on Behalf of Government
 - 2.1 Administered - Expenses
 - 2.2 Administered - Income
3. Assets and Liabilities Administered on Behalf of Government
 - 3.1 Administered - Financial Assets
 - 3.2 Administered - Payables
 - 3.3 Administered - Provisions
4. Funding
 - 4.1 Administered Special Accounts
5. People and Relationships
 - 5.1 Key Management Personnel Remuneration
 - 5.2 Related Party Disclosures

Statement by the Accountable Authority and Comcare Chief Financial Officer

In our opinion, the attached financial statements for the year ended 30 June 2018 comply with subsection 42 (2) of the Public Governance, Performance and Accountability Act 2013 (PGPA Act) and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Seafarers Safety, Rehabilitation and Compensation Authority will be able to pay its debts as and when they fall due.



Barry Sherriff
Accountable Authority and Chief Executive
25 September 2018



Derek Ambrose
Comcare Chief Financial Officer
25 September 2018

Seafarers Safety, Rehabilitation and Compensation Authority

Statement of comprehensive income

for the period ended 30 June 2018

	Notes	2018 \$	2017 \$
Net cost of services			
Expenses			
Suppliers	1.1A	618,959	668,939
Total expenses		618,959	668,939
Own-source income			
Own-source revenue			
Resources received free of charge	1.2A	604,959	654,939
Audit services received free of charge	1.2B	14,000	14,000
Total own-source revenue		618,959	668,939
Total own-source income		618,959	668,939
Net (cost of)/contribution by services		-	-
Surplus/(Deficit) on continuing operations		-	-
Other comprehensive income			
Total other comprehensive income		-	-

The above statement should be read in conjunction with the accompanying notes.

Budget variances commentary

Departmental Budgetary Reports are not required in the Statement of Comprehensive Income as the Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority) does not have a departmental budget. All departmental expenses of Seacare Authority are paid by Comcare under its Portfolio Budget Statements (PBS) Outcome 1, Component 1.3 - Provide the Seacare Authority secretarial and other assistance, and make available to it the services of Comcare's staff, and other resources as reasonably required from time to time for the proper performance of its functions or exercise of its powers.

Seafarers Safety, Rehabilitation and Compensation Authority

Administered schedule of comprehensive income

for the period ended 30 June 2018

	Notes	2018 \$	2017 \$	Original Budget \$
Net cost of services				
Expenses				
Suppliers	2.1A	135,864	161,273	155,000
Workers' compensation claims expense	2.1B	2,915,000	-	-
Total expenses		3,050,864	161,273	155,000
Income				
Revenue				
Non-taxation revenue				
Levies	2.2A	114,825	96,738	155,000
Recovery in Insurance	2.2A	2,063,177	-	-
Total revenue		2,178,002	96,738	155,000
Net (cost of)/contribution by services		(872,862)	(64,535)	-
Surplus/(Deficit)		(872,862)	(64,535)	-
Other comprehensive income				
Total other comprehensive income		-	-	-

The above statement should be read in conjunction with the accompanying notes.

Budget variances commentary

Note ref.

Workers' compensation expenses were significantly higher than budget due to an increase in the valuation of the provision for workers' compensation claims, following the acceptance of a significant claim during the financial year.

2.1B

Levies paid to the Seacare Authority by employers in the scheme were less than budget due to a decrease in the number of employers and a reduction in the number of berths reported.

2.2A

Following the acceptance of a significant claim in 2017-18, the Seacare Authority has recognised the amount expected to be recovered against the reinsurance arrangements in place.

2.2A

Seafarers Safety, Rehabilitation and Compensation Authority Administered schedule of assets and liabilities

as at 30 June 2018

	Notes	2018 \$	2017 \$	Original Budget \$
Assets				
Financial assets				
Cash and Cash Equivalents	3.1A	1,210,610	1,355,651	1,305,000
Trade and Other Receivables	3.1B	2,072,639	5	-
Total financial assets		3,283,249	1,355,656	1,305,000
Liabilities				
Payables				
Suppliers	3.2A	-	114,545	-
Total payables		-	114,545	-
Provisions				
Workers' compensation claims	3.3A	3,537,000	622,000	621,000
Total provisions		3,537,000	622,000	621,000
Total liabilities		3,537,000	736,545	621,000
Net assets		(253,751)	619,111	684,000

The above statement should be read in conjunction with the accompanying notes.

Budget variances commentary

Following the acceptance of a significant claim in 2017-18, the Seacare Authority has recognised the amount expected to be recovered by the reinsurance arrangements in place.

3.1B

The balance of workers' compensation claims was higher due to a re-valuation of the provision following the acceptance of a significant claim during 2017-18.

3.3A

Seafarers Safety, Rehabilitation and Compensation Authority Administered reconciliation schedule

	2018 \$	2017 \$
Opening assets less liabilities as at 1 July	619,111	683,646
Plus: Administered revenues	2,178,002	96,738
	2,797,113	780,384
Less: Administered expenses	3,050,864	161,273
Closing assets less liabilities as at 30 June	(253,751)	619,111

Accounting policy

Revenue collected by Seacare Authority for use by the Government is administered revenue. Collections are transferred to the Official Public Account (OPA) which is maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of the Government. Transfers to and from the OPA are adjustments to the administered cash held by the entity on behalf of the Government, and are reported as such in both the schedule of administered cash flows, and in the administered reconciliation schedule.

Seafarers Safety, Rehabilitation and Compensation Authority Administered cash flow statement

for the period ended 30 June 2018

	Notes	2018 \$	2017 \$	Original Budget \$
Operating activities				
Cash received				
Levies	B1	114,825	94,113	155,000
Other - GST received		15,585	14,126	-
Total cash received		130,410	108,239	155,000
Cash used				
Suppliers	B2	275,451	51,400	155,000
Total cash used		275,451	51,400	155,000
Net cash from/(used by) operating activities		(145,041)	56,839	-
Cash from Official Public Account				
Special Accounts	B2	275,451	51,400	155,000
Total cash from official public account		275,451	51,400	155,000
Cash to Official Public Account				
Special Accounts	B1	(130,410)	(110,864)	(155,000)
Total cash to official public account		(130,410)	(110,864)	(155,000)
Cash and cash equivalents at the beginning of the reporting period		-	2,625	
Cash and cash equivalents at the end of the reporting period	3.1A	-	-	-

The above statement should be read in conjunction with the accompanying notes.

Budget variances commentary

Cash received from levies paid to the Seacare Authority by employers in the scheme were less than budget due to a decrease in the number of employers and a reduction in the number of berths reported.	B1
Cash used for suppliers was higher than budget as it included payments relating to unpaid invoices from 2016-17 (\$114,545).	B2

Seafarers Safety, Rehabilitation and Compensation Authority Financial statements for the year ended 30 June 2018

Overview

Objectives of Seafarers Safety, Rehabilitation and Compensation Authority

The Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority) is an Australian Government controlled not-for-profit entity. The objective of the Seacare Authority is to take a leading role in minimising the human and financial costs of workplace injury in the Australian maritime industry. The Seacare Authority Safety Net Fund (Fund) acts in the place of an employer if a default event occurs, enabling employees to lodge a claim event when there is no employer to lodge against.

The purposes of the Seacare Authority are to:

1. perform its statutory functions to promote healthy and safe workplaces and appropriate and timely compensation for, and rehabilitation of, injured workers covered by the Seacare scheme
2. maintain a scheme safety net that is able to meet its liabilities.

The Seacare Authority has not reported a departmental statement of financial position as it does not control assets or incur liabilities in its own right, and has no departmental contingent liabilities. The Seacare Authority has not reported a departmental cash flow statement as it does not fund departmental activities. The administration of the Seacare Authority is performed by Comcare. The associated financial transactions are reported in the Comcare financial statements under Program Component 1.3 - Provide the Seacare Authority such secretarial and other assistance, and make available to it the services of such members of Comcare's staff, and such other resources as the Seacare Authority reasonably requires from time to time for the proper performance of its functions or exercise of its powers.

Other Seacare Authority activities contributing toward Outcome 1 Component 1.3 are classified as administered activities. Administered activities involve the management or oversight by the Seacare Authority, on behalf of the Government, of items controlled or incurred by the Government. Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the schedule of administered items and related notes.

The Fund was established in October 1992 for the purpose of providing through its contracted agent, Australian Maritime Industry Compensation Agency Ltd (AMICA) a safety net under Section 96 of the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act) for the compensation and rehabilitation of injured seafarers not otherwise covered by an employer. The Fund provides coverage to persons who underwent industry training, attended the seafarers' engagement system, and any seafarer or company trainee in situations where the original employer is insolvent or no longer traceable.

As AMICA was no longer able to obtain insurance, the Government declared on 10 April 2002 that the Seacare Authority is to have the Fund's powers and obligations under Section 100 of the Seafarers Act. Section 102 of the Seafarers Act requires the Seacare Authority to obtain insurance cover with an authorised insurer for any amount of a claim made by an eligible person that would exceed \$1 million.

A Special Account called the 'Seafarers Rehabilitation and Compensation Account' was established on 9 August 2002 to operate for the Fund to receive levies under the Seafarers Act and to make payments arising from liabilities under the Seafarers Act.

Levies are imposed under the *Seafarers Rehabilitation and Compensation Levy Act 1992* (Levy Act) on seafarer berths (a berth on a prescribed ship that is normally used by a seafarer). The levies are payable by an employer who employs or engages seafarers on a prescribed ship.

Levies collected by the Seacare Authority are maintained in the Consolidated Revenue Fund and drawn down to make payments for the Fund.

Basis of Preparation of the Financial Statements

The financial statements are general purpose financial statements and are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with:

- a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015 (FRR)*
- b) Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and are in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

On 15 December 2014, the Government released its paper *Smaller Government – Towards a Sustainable Future*, which included its decision to transfer the functions of the Seacare Authority to the Safety, Rehabilitation and Compensation Commission (SRCC).

On the 13 October 2016, the *Seafarers and Other Legislation Amendment Bill 2016* was tabled in Parliament which integrates the functions currently performed by the Seacare Authority into Comcare, abolishes the Seacare Authority and splits the functions between Comcare and the Safety, Rehabilitation and Compensation Commission (SRCC), and enables an advisory group to be appointed to support the SRCC and Comcare. As at 30 June 2018, this Bill had not been passed into legislation.

As at 30 June 2018, the Seacare Authority had a net asset deficiency of \$253,751 following the acceptance of a significant claim. The accepted claim is a long tail claim and as at the date of this statement, the Seacare Authority is confident that it has sufficient resources to meet claim obligations for the coming 12 month period. This statement is based on a financial forecast prepared by management, and the provision for known claims and incidents incurred but not yet reported, as at 30 June 2018.

Taxation

The entity is exempt from all forms of taxation except Fringe Benefits Tax and the Goods and Services Tax.

Reporting of Administered Activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the administered schedules and related notes.

Except where otherwise stated, administered items are accounted for on the same basis and using the same policies as for Seacare Authority items, including the application of Australian Accounting Standards.

The Seacare Authority had no administered contingent assets or liabilities as at 30 June 2018.

Events After the Reporting Period

There were no significant events that had the potential to significantly affect the ongoing structure and financial activities of the Seacare Authority.

Departmental financial performance

	2018 \$	2017 \$
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Note 1.1: Expenses

1.1A	Suppliers		
	Services supplied		
	Services provided by Comcare	604,959	654,939
	Audit Fees	14,000	14,000
	Total suppliers	618,959	668,939

Accounting policy

The Seacare Authority does not employ staff. Comcare pays the expenses associated with the management of the Seacare Authority.

The value of supplier expenses represents the cost of services provided free of charge by the Comcare and Australian National Audit Office. These services are recognised as expenses. The actual cost incurred by Comcare is determined through a cost allocation process.

Note 1.2: Own-source revenue and gains

	Own-source revenue		
1.2A	Resources received free of charge	604,959	654,939
1.2B	Audit services received free of charge	14,000	14,000
	Total own-source revenue	618,959	668,939

Accounting policy

The value of own-source revenue represents the value of services received free of charge from Comcare and audit services received free of charge from Australian National Audit Office (ANAO).

Resources received free of charge are recognised as revenue or gain when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources are recognised as an expense.

Resources received free of charge are recorded as either revenue or gains dependent on their nature.

The ANAO did not charge for the audit of the 2017-18 financial statements. The notional amount of \$14,000 was brought to account as services provided free of charge (2017: \$14,000).

Income and expenses administered on behalf of the government

	2018 \$	2017 \$
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Note 2.1: Administered - Expenses

2.1A	Suppliers		
	Rendering of services		
	Seacare Authority Safety Net Fund administration	135,864	161,273
	Total suppliers	135,864	161,273
2.1B	Workers' compensation claims expense	2,915,000	-
	Total expenses	3,050,864	161,273

Note 2.2: Administered - Income

2.2A	Non-taxation revenue		
	Levies	114,825	96,738
	Recovery in Insurance	2,063,177	
	Total other revenue	2,178,002	96,738

Accounting policy

Revenue from levies is recognised when:

- the entity obtains control of the contribution or right to receive the contribution
- it is probable the economic benefits comprising the contribution will flow to the entity
- the amount can be measured reliably.

Asset and liabilities administered on behalf of the government

	2018 \$	2017 \$
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Note 3.1: Administered - Financial assets

3.1A	Cash and Cash Equivalents		
	Cash in special accounts	1,210,610	1,355,651
	Cash on hand or on deposit	-	-
	Total cash held as at 30 June 2018	1,210,610	1,355,651
3.1B	Trade and Other Receivables		
	GST Receivable	9,462	5
	Insurance Recovery Receivable	2,063,177	-
	Total receivables	2,072,639	5

Accounting policy

Cash is recognised at its nominal amount. Cash and cash equivalents include cash held in the OPA for special accounts and demand deposits in bank accounts with an original maturity of three months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value.

Trade receivables and other receivables that have fixed or determinable payments that are not quoted in an active market are classified as 'loans and receivables'. Receivables are measured at amortised cost.

The classification depends on the nature and purpose of the financial asset and is determined at the time of initial recognition. Financial assets are recognised and derecognised upon 'trade date'.

Note 3.2: Administered - payables

3.2A	Suppliers		
	Trade creditors and accruals	-	114,545

Payables are with entities of the Australian Government and the terms are 30 days from date of invoice (2017: 30 days).

Accounting policy

Other financial liabilities

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

	2018 \$	2017 \$
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Note 3.3: Administered - Provisions

3.3A	Provision for workers' compensation claims		
	As at 1 July 2017	622,000	622,000
	Additional provisions made	2,915,000	-
	Total as at 30 June 2018	3,537,000	622,000

The Fund provides coverage to persons who underwent industry training or attended the seafarers' engagement system and any seafarer or company trainee in situations where the original employer is insolvent or no longer traceable. As such, Seacare Authority has a financial exposure to all eligible workers' compensation claims that cannot be met by the original employer.

The value of workers' compensation claims expenses as at 30 June 2018 was estimated and adjusted for the impact of any potential identified circumstances by management based on the independent actuarial advice provided by Taylor Fry Pty Ltd. Management has reviewed the provision and considered the current provision appropriate for 2017-18.

Accounting policy

The liability for workers' compensation claims is determined in accordance with the requirements of *AASB 137 Provisions, Contingent Liabilities and Contingent Assets*. Provisions for claims are recognised when: the Seacare Authority has a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated.

Where there are a number of similar obligations for each claim type, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same claim type may be small.

The value of the claims provision is measured at the present value of expected future payments against claims incurred at the reporting date plus an allowance for the significant uncertainty in estimating future claim payments. The expected future payments are discounted to present value using a risk adjusted rate.

The expected future payments include those for claims incurred but not reported (IBNR) and anticipated claims handling costs. Claims handling costs include costs that can be associated directly with individual claims, such as legal and other professional fees, and costs that can only be indirectly associated with individual claims, such as claims administration costs.

Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this Note, the Seacare Authority has made a judgement in these financial statements relating to the provision for workers' compensation claims.

Funding

Note 4.1: Administered special account

Seafarers Rehabilitation and Compensation Account (Administered)	2018 \$	2017 \$
Balance brought forward from previous period	1,355,651	1,298,812
Increases:		
Other receipts – Levy receipts	114,825	94,113
Total increases*	114,825	94,113
Available for payments	1,470,476	1,392,925
Decreases*	(250,410)	(46,727)
Total balance carried to the next period**	1,220,066	1,346,198

*The prior period brought to account GST receipts recoverable as part of this note. Recoverable GST are not included as the Administered Special Account note is prepared on a recoverable GST exclusive basis. Comparative figures have been restated to reflect its removal. The amount of GST receipts in 2017 was \$14,126 and the GST payable included in the Decreases was \$4,673 in 2017.

**All cash is held in the Official Public Account (OPA).

Establishing instrument: *Seafarers Rehabilitation and Compensation Levy Act 1992 (Levy Act)*; *Seafarers Rehabilitation and Compensation Levy Collection Act 1992 (Levy Collection Act)*.

Purpose:

for the receipt of all levies, the payment of expenses incurred in administering the Special Account and the payment of claims under the Seafarers Act. The Special Account is non-interest bearing.

The Special Account has the following purposes:

- a) making a payment incurred by, or attributable to the Seacare Authority that relates to:
 - i. the Authority's costs in administering the Levy Collection Act and the special account
 - ii. the Authority's costs in administering the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act), so far as that administration concerns the Seacare Authority in its capacity as an employer under subsection 4(3) of the Seafarers Act
 - iii. a claim or other amount payable to a person under the Seafarers Act, so far as that amount is payable by the Authority in its capacity as an employer under subsection 4(3) of the Seafarers Act
 - iv. an insurance premium or indemnity for any amount of the Seacare Authority's liability under the Seafarers Act
- b) repaying an amount where a court order, Act or other law requires or permits the repayment of an amount received.

People and relationships

Note 5.1: Key management personnel remuneration

Key management personnel are those persons who have authority and responsibility for planning, directing and controlling the activities of the Seacare Authority, directly or indirectly. The Seacare Authority has determined the key management personnel to be the Portfolio Minister (the Minister for Jobs and Industrial Relations) and Chief Executive. The remuneration received by the Chief Executive, not employed by the Australian Government, but paid by Comcare during the period is reported in the table below.

	2018 \$	2017 \$
Short-term employee benefits	36,281	9,726
Total key management personnel remuneration expenses ¹	36,281	9,726

The total number of key management personnel that is included in the above table is 1 (2017: 1).

¹. The above key management personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the Seacare Authority.

Note 5.2: Related party disclosures

Related party relationships

The Seacare Authority is an Australian Government controlled entity. Related parties to the Seacare Authority are Key Management Personnel including the Portfolio Minister and Chief Executive.

Transactions with related parties

Given the breadth of Government activities, related parties may transact with the government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the entity, it has been determined that there are no related party transactions to be separately disclosed.



APPENDIX 2:

EXEMPTIONS GRANTED UNDER s20A OF THE SEAFARERS ACT

Appendix: 2

Exemptions granted under s20A of the Seafarers Act

This appendix sets out the exemptions that have been granted on behalf of the Seacare Authority in 2017–18.

Employer	Vessel/s	Exemption granted	Reason(s)	Exemption
Svitzer Australia Pty Ltd	<i>Koona, Karoo, Tom Tough, Beltana, Clontarf, Hastings, Svitzer Eagle, Svitzer Glenrock, Marrakai, Burra, Wambiri, Bullara, Svitzer Albatross, Wyong, Svitzer Heron, Svitzer Nana, Svitzer Naiad</i>	28 June 2018	Non-regular trading pattern	01/07/2018 – 30/06/2019
Carpentaria Management Services	<i>Aburri</i>	28 June 2018	Voyage within a Territory	01/07/2018 – 30/06/2019
Svitzer Australia Pty Ltd	<i>PB Murray</i>	8 June 2018	Non-regular trading pattern, prescribed ship under 500 gross tonnes	08/06/2018 – 31/07/2018
Sea Swift Pty Ltd	<i>Kerema Chief</i>	7 June 2018	Voyage within a Territory	11/06/2018 – 30/04/2019
Svitzer Australia Pty Ltd	<i>Cooma</i>	31 May 2018	Non-regular trading pattern, prescribed ship under 500 gross tonnes	01/06/2018 – 30/07/2018
Svitzer Australia Pty Ltd	<i>PB Darling</i>	31 May 2018	Non-regular trading pattern, prescribed ship under 500 gross tonnes	02/06/2018 – 08/06/2018
International Maritime Services Pty Ltd	<i>CMV Athos</i>	18 May 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	18/05/2018 – 31/07/2018
International Maritime Services Pty Ltd	<i>SL Cook</i>	18 May 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	18/05/2018 – 31/07/2018

Employer	Vessel/s	Exemption granted	Reason(s)	Exemption
Sea Swift Pty Ltd	<i>Cygnat 1, Malu Chief, Malu Explorer, Territorian, Arnhem Trader, Coral Bay</i>	4 May 2018	Voyage within a Territory	04/05/2018 – 30/04/2019
Svitzer Australia Pty Ltd	<i>PB Darling</i>	26 April 2018	Non-regular trading pattern, prescribed ship under 500 gross tonnes	28/04/2018 – 01/06/2018
Multiple	<i>Vessels on Domestic Commercial Vessels register and submitted by employers</i>	19 April 2018	Exempt employment on vessels brought into scheme following <i>Samson v Aucote</i>	21/04/2018 – 20/04/2019
International Maritime Services Pty Ltd	<i>Svitzer Doolja</i>	18 April 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	22/04/2018 – 30/06/2018
International Maritime Services Pty Ltd	<i>RT Inspiration, RT Sensation</i>	13 April 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	15/04/2018 – 30/09/2018
Woodside Energy Limited	<i>Nganhurra</i>	29 March 2018	Workers' compensation insurance available at a lower cost	1/04/2018 – 31/03/2019
Woodside Energy Limited	<i>Okha</i>	29 March 2018	Workers' compensation insurance available at a lower cost	1/04/2018 – 31/03/2019
Multiple	<i>Vessels of Australian General Register and submitted by employers</i>	22 March 2018	Exempt employment on vessels brought into scheme following <i>Samson v Aucote</i>	24/03/2018 – 23/03/2019
Maritime Constructions Pty Ltd	<i>Andrew Wilson</i>	20 March 2018	Prescribed ship under 500 gross tonnes	22/03/2018 – 27/03/2018
Maritime Constructions Pty Ltd	<i>Andrew Wilson</i>	13 March 2018	Prescribed ship under 500 gross tonnes	13/03/2018 – 21/03/2018

Employer	Vessel/s	Exemption granted	Reason(s)	Exemption
International Maritime Services Pty Ltd	<i>Svitzer Swift</i>	16 February 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	16/02/2018 – 31/04/2018
Svitzer Australia Pty Ltd	<i>Willara</i>	15 February 2018	Non-regular trading pattern, prescribed ship is under 500 gross tonnes	15/02/2018 – 28/02/2018
Polaris Marine Pty Ltd	<i>John Duigan</i>	9 February 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost	19/02/2018 – 28/02/2018
Maritime Constructions Pty Ltd	<i>Andrew Wilson</i>	8 February 2018	Prescribed ship is under 500 gross tonnes	16/02/2018 – 24/02/2018
International Maritime Services Pty Ltd	<i>Gurrura</i>	24 January 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	29/01/2018 – 30/06/2018
International Maritime Services Pty Ltd	<i>Barrura</i>	11 January 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	11/01/2018 – 31/01/2018
Sea Swift Pty Ltd	<i>Malu Chief</i>	10 January 2018	Voyage within a Territory	11/01/2018 – 30/04/2018
International Maritime Services Pty Ltd	<i>RT Rotation</i>	9 January 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	9/01/2018 – 31/01/2018

Employer	Vessel/s	Exemption granted	Reason(s)	Exemption
Svitzer Australia Pty Ltd	<i>Wistari</i>	5 January 2018	Non-regular trading pattern, prescribed ship under 500 gross tonnes	6/01/2018 – 24/01/2018
University of Tasmania	<i>FTV Bluefin</i>	2 January 2018	Workers' compensation insurance available at lower cost	2/01/2018 – 31/12/2018
Polaris Marine Pty Ltd	<i>John Duigan</i>	2 January 2018	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost	11/01/2018 – 18/02/2018
International Maritime Services Pty Ltd	<i>Mermaid Ranger</i>	6 December 2017	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	6/12/2017 – 2/01/2018
International Maritime Services Pty Ltd	<i>RT Rotation,</i> <i>AMS Swissco</i>	20 November 2017	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, prescribed ship under 500 gross tonnes	20/11/2017 – 2/01/2018
Svitzer Australia Pty Ltd	<i>Wistari</i>	27 October 2017	Non-regular trading pattern, prescribed ship under 500 gross tonnes	27/10/2017 – 3/11/2017
Svitzer Australia Pty Ltd	<i>Anatoma</i>	26 October 2017	Non-regular trading pattern	27/10/2017 – 10/11/2017
Svitzer Australia Pty Ltd	<i>Wistari</i>	24 October 2017	Non-regular trading pattern, prescribed ship under 500 gross tonnes	25/10/2017 – 3/11/2017
Svitzer Australia Pty Ltd	<i>Svitzer Ginga</i>	19 October 2017	Non-regular trading pattern, vessel under 500 gross tonnes	23/10/2017 – 6/11/2017
Svitzer Australia Pty Ltd	<i>Cooma</i>	18 October 2017	Non-regular trading pattern, vessel under 500 gross tonnes	19/10/2017 – 29/10/2017
Sea Swift Pty Ltd	<i>Bhagwan Roller</i>	5 October 2017	Voyage within a Territory	5/10/2017 – 30/04/2018

Employer	Vessel/s	Exemption granted	Reason(s)	Exemption
Svitzer Australia Pty Ltd	<i>Tom Tough</i>	28 September 2017	Non-regular trading pattern, vessel under 500 gross tonnes	28/09/2017 – 15/10/2017
International Maritime Services Pty Ltd	<i>Svitzer Nana, Mount Florence</i>	26 September 2017	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, vessel under 500 gross tonnes	28/09/2017 – 2/01/2018
Svitzer Australia Pty Ltd	<i>Tom Tough</i>	31 August 2017	Non-regular trading pattern, vessel under 500 gross tonnes	1/09/2017 – 15/09/2017
Svitzer Australia Pty Ltd	<i>Anatoma</i>	28 August 2017	Non-regular trading pattern	29/08/2017 – 19/09/2017
Svitzer Australia Pty Ltd	<i>Cooma</i>	23 August 2017	Non-regular trading pattern, vessel under 500 gross tonnes	24/08/2017 – 3/09/2017
Eastern Line Shipping Pty Ltd	<i>Statesman</i>	23 August 2017	Non-regular trading pattern	23/08/2017 – 11/05/2018
Svitzer Australia Pty Ltd	<i>Svitzer Stockton</i>	10 August 2017	Non-regular trading pattern, vessel under 500 gross tonnes	10/08/2017 – 20/08/2017
International Maritime Services Pty Ltd	<i>Indee, Pardoo, Yandeyarra</i>	8 August 2017	Non-regular trading pattern, voyage incidental to primary operations, workers' compensation insurance available at lower cost, vessel under 500 gross tonnes	8/08/2017 – 2/01/2018
Woodside Energy Ltd	<i>Ngujima-Yin</i>	25 July 2017	Workers' compensation insurance available at a lower cost than Seacare	1/08/2017 – 31/07/2018
Svitzer Australia Pty Ltd	<i>Svitzer Larrakia</i>	18 July 2017	Non-regular trading pattern, vessel under 500 gross tonnes	19/07/2017 – 2/08/2017
Svitzer Australia Pty Ltd	<i>Svitzer Nana</i>	13 July 2017	Non-regular trading pattern	13/07/2017 – 31/07/2017
Svitzer Australia Pty Ltd	<i>Svitzer Hamilton</i>	6 July 2017	Non-regular trading pattern, vessel under 500 gross tonnes	10/07/2017 – 17/07/2017

APPENDIX 3:

SEACARE SCHEME EMPLOYERS, OPERATORS AND SHIPS



Appendix: 3

Seacare scheme employers, operators and ships

This appendix sets out the vessels that operated in the Seacare scheme in 2017–18 as reported to the Seacare Authority. It should be noted that in some circumstances where the Seafarers Act applies, the OHS(MI) Act may not apply and vice versa. For the majority of vessels operating under the scheme both Acts were reported to have applied.

Ship name	IMO (where known)	Employer	Operator name
<i>AAL Nanjing</i>		AOS	AAL Shipping
<i>Accolade II</i>	8012425	Inco Ships	Inco Ships
<i>Atlantis Dweller</i>		AOS	FugroTSM
<i>Aurora Australis</i>	7817283	METL	P&O Maritime
		P&O Maritime	
<i>Bay Lass</i>		Pacific Tug	Pacific Tug
<i>BBC Brisbane</i>		Perkins(TML)	Toll Energy & Marine
<i>BGP Explorer</i>	9441544	AOS	AOS
<i>Bhagwan Abrolhos</i>	9653173	Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Dryden</i>		Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Houtman</i>	9640011	Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Mover</i>	9542001	Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Ocean</i>	9641467	Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Renegade</i>	9582752	Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Rocker</i>	9648996	Bhagwan Marine	Bhagwan Marine
<i>Bhagwan Shaker</i>		Bhagwan Marine	Bhagwan Marine
<i>Brisbane</i>	9204623	Port of Brisbane	Port of Brisbane
<i>Christine</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>Clare II</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>CMV Athos</i>		Bhagwan Marine	Bhagwan Marine
<i>Coral Knight</i>	9696280	Teekay Shipping Australia	AMSA
			Teekay Shipping Australia

Ship name	IMO (where known)	Employer	Operator name
<i>CSL Whyalla</i>	8618188	CSL Australia	CSL Australia
<i>Dampier Spirit</i>	8613748	Teekay Shipping Australia	Jadestone Energy
			Teekay Shipping Australia
<i>DD1</i>		Compass	Transocean
<i>Deep Orient</i>		AOS	TechnipFMC
<i>DLV 2000</i>		AOS	McDermott
<i>Donnacona</i>		CSL Australia	CSL Transshipment
<i>DP2 Seamaster</i>		Bhagwan Marine	Bhagwan Marine
<i>Edda Fides</i>		Atlas	Edda Accommodation
		Compass	
<i>Ensco DPS-1</i>		Atlas	Ensco PLC
<i>Far Saracen</i>	9417842	SolstadFarstad	SolstadFarstad
<i>Far Scorpion</i>		SolstadFarstad	Farstad Shipping
		Atlas	Solstad Farstad
<i>Far Seeker</i>	9381691	SolstadFarstad	Farstad Shipping
		Atlas	Solstad Farstad
<i>Far Senator</i>		SolstadFarstad	SolstadFarstad
<i>Far Sirius</i>	9659074	SolstadFarstad	Farstad Shipping
			SolstadFarstad
<i>Far Skimmer</i>		SolstadFarstad	Farstad Shipping
			SolstadFarstad
<i>Far Statesman</i>		SolstadFarstad	Farstad Shipping
<i>Far Stream</i>	9346081	SolstadFarstad	SolstadFarstad
<i>Far Supplier</i>	9186144	SolstadFarstad	Farstad Shipping
			SolstadFarstad

Ship name	IMO (where known)	Employer	Operator name
<i>Far Swan</i>	9355953	SolstadFarstad	Farstad Shipping
			SolstadFarstad
<i>Far Sword</i>	9344851	SolstadFarstad	Farstad Shipping
			SolstadFarstad
<i>Flinders Bay</i>		Pacific Tug	Pacific Tug
<i>Floatel Triumph</i>		Compass	Floatel International
		Go Offshore	Go Offshore
			Woodside Energy Limited
<i>Fugro Etive</i>		AOS	FugroTSM
<i>Fugro Voyager</i>		AOS	FugroTSM
<i>Geo Resolution</i>		AOS	EGS (Asia)
<i>Geoholm</i>		DOF Management Australia	DOF Management Australia
<i>Global 1201</i>		AOS	TechnipFMC
<i>GO Capella</i>		Go Offshore	Go Offshore
<i>Go Koi</i>		Go Offshore	Go Offshore
<i>Go Phoenix</i>		Go Offshore	Go Offshore
<i>GO Sirius</i>	9545871	Go Offshore	Go Offshore
<i>GO Spica</i>	9417402	Go Offshore	Go Offshore
<i>Goliath</i>	9036430	CSL Australia	CSL Australia
		METL	
<i>Hervey Bay</i>		Pacific Tug	Pacific Tug
<i>Ichthys Venturer</i>		Atlas	INPEX
<i>ICS Allegiance</i>		Inco Ships	Inco Ships
<i>ICS Integrity</i>		Inco Ships	Inco Ships
<i>ICS Reliance</i>	9587439	Inco Ships	Inco Ships

Ship name	IMO (where known)	Employer	Operator name
<i>Investigator</i>		ASP Ships METL	ASP Ships
<i>Iron Chieftain</i>	9047740	CSL Australia METL	CSL Australia
<i>Island Performer</i>		AOS	GMSI
<i>Jascon 25</i>		AOS	STG
		Compass	Sea Trucks
<i>Keppel Bay</i>		Pacific Tug	Pacific Tug
<i>King Bay</i>		Pacific Tug	Pacific Tug
<i>Lodbrog</i>		AOS	Alda Marine
<i>Lowlands Brilliance</i>	9227003	Teekay Shipping Australia	BHP Billiton
			Teekay Shipping Australia
<i>LV 108</i>		AOS	McDermott
<i>Maersk Logger</i>		Atlas	Maersk Supply Services
<i>Maersk Master</i>		Atlas	Maersk Supply Services
<i>Mariloula</i>	9434553	METL	Teekay Shipping Australia
		Teekay Shipping Australia	BHP Billiton
<i>Marilynne</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>Mermaid Cove</i>	9644108	AOS	MMA Offshore
		MMA Offshore	
<i>Mermaid Inscription</i>	9668245	MMA Offshore	MMA Offshore
<i>Mermaid Leeuwin</i>	9674658	MMA Offshore	MMA Offshore
<i>Mermaid Leveque</i>	9418743	MMA Offshore	MMA Offshore
<i>Mermaid Sound</i>	9374935	MMA Offshore	MMA Offshore
		Atlas	
<i>Mermaid Strait</i>	9616216	MMA Offshore	MMA Offshore

Ship name	IMO (where known)	Employer	Operator name
<i>Mermaid Vantage</i>		MMA Offshore Atlas	MMA Offshore
<i>Mermaid Vision</i>	9548627	MMA Offshore	MMA Offshore
<i>Mermaid Voyager</i>	9560211	Atlas MMA Offshore	MMA Offshore
<i>MMA Brewster</i>		MMA Offshore	MMA Offshore
<i>MMA Coral</i>		Atlas	MMA Offshore
<i>MMA Leveque</i>		Atlas	MMA Offshore
<i>MMA Pinacle</i>		MMA Offshore	MMA Offshore
<i>MMA Plover</i>		MMA Offshore	MMA Offshore
<i>Montara Venture</i>	8714982	AOS PTTEP Australasia	PTTEP Australasia
<i>Montoro K</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>MTS Statum</i>		Bhagwan Marine	Bhagwan Marine
<i>MTS Valiant</i>		Bhagwan Marine	Bhagwan Marine
<i>MTS Vantage</i>		Bhagwan Marine	Bhagwan Marine
<i>Nalena Bay</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>Nganhurra</i>	9297424	Compass	Woodside Energy Limited
<i>Ngujima Yin</i>	9181182	Compass	Woodside Energy Limited
<i>Ningaloo Vision</i>	8021854	Teekay Shipping Australia	Quadrant Energy
			Teekay Shipping Australia
<i>Nor Australis</i>		Atlas	SolstadFarstad
<i>Normand Reach</i>		Atlas	SolstadFarstad
<i>Normand Vision</i>		Atlas	SolstadFarstad
<i>Northwest Sanderling</i>	8608872	Trident LNG	Shell Tankers Australia

Ship name	IMO (where known)	Employer	Operator name
<i>Northwest Sandpiper</i>	8913150	Trident LNG	Shell Tankers Australia
<i>Northwest Snipe</i>	8608884	Trident LNG	Shell Tankers Australia
<i>Northwest Stormpetrel</i>	9045132	Trident LNG	Shell Tankers Australia
<i>Ocean Apex</i>		AOS	Diamond
<i>Ocean Infinity</i>		Atlas	Swire Seabed AS
<i>Ocean Monarch</i>		AOS	Diamond
<i>Ocean Protector</i>	9374260	DOF Management Australia	DOF Management Australia
<i>Ocean Shield</i>	9628374	Teekay Shipping Australia	Australian Border Force
			Teekay Shipping Australia
<i>Odin II</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>Okha</i>	9180889	Compass	Woodside Energy Limited
<i>OMS Endurance</i>		Atlas	Skilled Offshore (Australia) Pty Ltd
			PTTEP/NOGA
<i>Pacific Aurora</i>		Swire Pacific	Swire Pacific
<i>Pacific Centurion</i>		Swire Pacific	Swire Pacific
<i>Pacific Grackle</i>		Swire Pacific	Swire Pacific
<i>Pacific Greylag</i>		Swire Pacific	Swire Pacific
<i>Pacific Hawk</i>		Swire Pacific	Swire Pacific
<i>Pacific Hornbill</i>	9579119	Swire Pacific	Swire Pacific
<i>Pacific Viper</i>	9361689	Swire Pacific	Swire Pacific
<i>Pacific Vulcan</i>		Swire Pacific	Swire Pacific
<i>Paspaley 4</i>	9231652	Paspaley Pearling co.	Paspaley Pearling co.
<i>Polarcus Naila</i>		Atlas	Polarcus DMCC
<i>POSH Arcadia</i>		Atlas	POSH SEMCO Pte Ltd

Ship name	IMO (where known)	Employer	Operator name
<i>POSH Champion</i>		Atlas	POSH SEMCO Pte Ltd
<i>POSH Constant</i>		Atlas	POSH SEMCO Pte Ltd
<i>POSH Salveritas</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>POSH Salviceroy</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>POSH Salvigilant</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>PT Eden</i>		Pacific Tug	Pacific Tug
<i>PT Fortitude</i>	9545223	Pacific Tug	Pacific Tug
<i>PT Kotor</i>	9408748	Pacific Tug	Pacific Tug
<i>PT Kythira</i>	9509554	Pacific Tug	Pacific Tug
<i>PT Mary</i>		Pacific Tug	Pacific Tug
<i>PT May</i>		Pacific Tug	Pacific Tug
<i>PT Monto</i>	9559585	Pacific Tug	Pacific Tug
<i>PT Nautilus</i>		Pacific Tug	Pacific Tug
<i>PT Transporter</i>		Pacific Tug	Pacific Tug
<i>PT Zarka</i>	9356282	Pacific Tug	Pacific Tug
<i>Roebuck II</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>Roslynne</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>RTM Piiramu</i>	9341926	ASP Ships	ASP Ships
		METL	
<i>RTM Twarra</i>	9373034	ASP Ships	ASP Ships
		METL	
<i>RTM Wakmatha</i>	9341914	ASP Ships	ASP Ships
		METL	
<i>RTM Weipa</i>	9341938	ASP Ships	ASP Ships
		METL	
<i>Samson Explorer</i>		Bhagwan Marine	Bhagwan Marine

Ship name	IMO (where known)	Employer	Operator name
<i>SapuraKencana Constructor</i>	9392705	AOS	Sapura
<i>Sea Force</i>		Bhagwan Marine	Bhagwan Marine
<i>Sea Hotel</i>		Bhagwan Marine	Bhagwan Marine
<i>Sea Surfer</i>		SolstadFarstad	SolstadFarstad
<i>Sea Swan</i>		SolstadFarstad	SolstadFarstad
<i>Sea Tortuga</i>		Go Offshore	Go Offshore
		SolstadFarstad	SolstadFarstad
<i>Sea Triumph</i>		Go Offshore	Go Offshore
<i>Seabed Constructor</i>		Atlas	Swire Seabed AS
		Swire Pacific	Swire Pacific
<i>Searoad Mersey II</i>	9745794	SeaRoad Shipping	SeaRoad Shipping
<i>Searoad Tamar</i>	8917429	SeaRoad Shipping	SeaRoad Shipping
<i>Siem Amethyst</i>		OSM	Siem Offshore
<i>Siem Aquamarine</i>		OSM	Siem Offshore
<i>Siem Thiima</i>		OSM	Siem Offshore
<i>Siem Topaz</i>		OSM	Siem Offshore
<i>Skandi Darwin</i>		DOF Management Australia	DOF Management Australia
<i>Skandi Foula</i>		DOF Management Australia	DOF Management Australia
<i>Skandi Hercules</i>		DOF Management Australia	DOF Management Australia
<i>Skandi Singapore</i>		DOF Management Australia	DOF Management Australia
<i>Skandi Sotra</i>		DOF Management Australia	DOF Management Australia
<i>Southern Ocean</i>	9433171	AOS	FugroTSM
<i>Southern Star</i>		AOS	FugroTSM
<i>Spencer Gulf</i>		CSL Australia	CSL Transhipment

Ship name	IMO (where known)	Employer	Operator name
<i>Spirit of Tasmania I</i>	9158446	ASP Ships	TT-Line
		TT-Line	
<i>Spirit of Tasmania II</i>	9158434	ASP Ships	TT-Line
		TT-Line	
<i>Sycamore</i>		Teekay Shipping Australia	Royal Australian Navy
			Teekay Shipping Australia
<i>Tasmanian Achiever</i>	9180190	Toll Shipping	Toll Shipping
<i>Terasea Eagle</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>Terasea Falcon</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>Terasea Hawk</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>Terasea Osprey</i>		Atlas	POSH Terasea Offshore Pte Ltd
<i>Toll Astrolabe</i>	9766970	Perkins(TML)	Toll Energy & Marine
<i>Toll Cygnet</i>	9766982	Perkins(TML)	Toll Energy & Marine
<i>Toll Endurance III</i>	9675377	Perkins(TML)	Toll Energy & Marine
<i>Toll Firefly</i>	9550726	Perkins(TML)	Toll Energy & Marine
<i>Toll Osborne</i>	9570175	Perkins(TML)	Toll Energy & Marine
<i>Toll Osprey</i>	9656072	Perkins(TML)	Toll Energy & Marine
<i>Toll Sandfly</i>	9578335	Perkins(TML)	Toll Energy & Marine
<i>True North</i>	9308651	North Star	North Star Cruises
<i>Twofold Bay</i>		Pacific Tug	Pacific Tug
<i>Victorian Reliance</i>	9180205	Toll Shipping	Toll Shipping
<i>Vivienne</i>		Paspaley Pearling co.	Paspaley Pearling co.
<i>Wide Bay</i>		Pacific Tug	Pacific Tug

COMPLIANCE INDEX



Compliance Index

These annual report requirements are prepared pursuant to subsections 63(2) and 70(2) of the *Public Service Act 1999* and were approved by the Joint Committee of Public Accounts and Audit on 19 June 2013. Requirements are reviewed annually to take account of changes to reporting requirements prescribed in legislation, arising from new policy, or recommendations in Parliamentary, Australian National Audit Office or other reports.

Table 7: Annual report requirements

PGPA Rule Reference	Part of Report	Description	Requirement
17AD(g)	Letter of transmittal		
17AI	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report.		Mandatory
17AD(h)	Aids to access		
17AJ(a)	Table of contents		Mandatory
17AJ(b)	Alphabetical index		Mandatory
17AJ(c)	Glossary of abbreviations and acronyms		Mandatory
17AJ(d)	List of requirements		Mandatory
17AJ(e)	Details of contact officer		Mandatory
17AJ(f)	Entity's website address		Mandatory
17AJ(g)	Electronic address of report		Mandatory
17AD(a)	Review by accountable authority		
17AD(a)	A review by the accountable authority of the entity		Mandatory
17AD(b)	Overview of the entity		
17AE(1)(a)(i)	A description of the role and functions of the entity		Mandatory
17AE(1)(a)(ii)	A description of the organisational structure of the entity		Mandatory
17AE(1)(a)(iii)	A description of the outcomes and programmes administered by the entity		Mandatory
17AE(1)(a)(iv)	A description of the purposes of the entity as included in corporate plan		Mandatory
17AE(1)(b)	An outline of the structure of the portfolio of the entity	Portfolio departments—mandatory	


PGPA Rule Reference	Part of Report	Description	Requirement
17AE(2)	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.		If applicable, Mandatory
17AD(c)	Report on the Performance of the entity		
	Annual performance Statements		
17AD(c)(i); 16F	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule.		Mandatory
17AD(c)(ii)	Report on Financial Performance		
17AF(1)(a)	A discussion and analysis of the entity's financial performance.		Mandatory
17AF(1)(b)	A table summarising the total resources and total payments of the entity.		Mandatory
17AF(2)	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity's future operation or financial results.		If applicable, Mandatory.
17AD(d)	Management and Accountability		
	Corporate Governance		
17AG(2)(a)	Information on compliance with section 10 (fraud systems)		Mandatory
17AG(2)(b)(i)	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.		Mandatory
17AG(2)(b)(ii)	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.		Mandatory
17AG(2)(b)(iii)	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.		Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(2)(c)	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.		Mandatory
17AG(2)(d) – (e)	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to noncompliance with Finance law and action taken to remedy noncompliance.		If applicable, Mandatory
External Scrutiny			
17AG(3)	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.		Mandatory
17AG(3)(a)	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.		If applicable, Mandatory
17AG(3)(b)	Information on any reports on operations of the entity by the AuditorGeneral (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.		If applicable, Mandatory
17AG(3)(c)	Information on any capability reviews on the entity that were released during the period.		If applicable, Mandatory
Management of Human Resources			
17AG(4)(a)	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.		Mandatory
17AG(4)(b)	Statistics on the entity's APS employees on an ongoing and nonongoing basis; including the following: <ul style="list-style-type: none"> > statistics on staffing classification level > statistics on fulltime employees > statistics on parttime employees > statistics on gender > statistics on staff location > statistics on employees who identify as Indigenous 		Mandatory
17AG(4)(c)	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .		Mandatory
17AG(4)(c)(i)	Information on the number of SES and nonSES employees covered by agreements etc identified in paragraph 17AG(4)(c).		Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(4)(c)(ii)	The salary ranges available for APS employees by classification level.		Mandatory
17AG(4)(c)(iii)	A description of nonsalary benefits provided to employees.		Mandatory
17AG(4)(d)(i)	Information on the number of employees at each classification level who received performance pay.		If applicable, Mandatory
17AG(4)(d)(ii)	Information on aggregate amounts of performance pay at each classification level.		If applicable, Mandatory
17AG(4)(d)(iii)	Information on the average amount of performance payment, and range of such payments, at each classification level.		If applicable, Mandatory
17AG(4)(d)(iv)	Information on aggregate amount of performance payments.		If applicable, Mandatory
Assets Management			
17AG(5)	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities		If applicable, mandatory
Purchasing			
17AG(6)	An assessment of entity performance against the <i>Commonwealth Procurement Rules</i> .		Mandatory
Consultants			
17AG(7)(a)	A summary statement detailing the number of new contracts engaging consultants entered into during the period; the total actual expenditure on all new consultancy contracts entered into during the period (inclusive of GST); the number of ongoing consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST).		Mandatory
17AG(7)(b)	A statement that "During [reporting period], [specified number] new consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing consultancy contracts were active during the period, involving total actual expenditure of \$[specified million]".		Mandatory
17AG(7)(c)	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged.		Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AG(7)(d)	A statement that "Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website."		Mandatory
Australian National Audit Office Access Clauses			
17AG(8)	If an entity entered into a contract with a value of more than \$100 000 (inclusive of GST) and the contract did not provide the Auditor General with access to the contractor's premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.		If applicable, Mandatory
Exempt contracts			
17AG(9)	If an entity entered into a contract or there is a standing offer with a value greater than \$10 000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.		If applicable, Mandatory
Small business			
17AG(10)(a)	A statement that "[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance's website."		Mandatory
17AG(10)(b)	An outline of the ways in which the procurement practices of the entity support small and medium enterprises.		Mandatory
17AG(10)(c)	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that "[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury's website."		If applicable, Mandatory
Financial Statements			
17AD(e)	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.		Mandatory

PGPA Rule Reference	Part of Report	Description	Requirement
17AD(f)	Other Mandatory Information		
17AH(1)(a)(i)	If the entity conducted advertising campaigns, a statement that "During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity's website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website."		If applicable, Mandatory
17AH(1)(a)(ii)	If the entity did not conduct advertising campaigns, a statement to that effect.		If applicable, Mandatory
17AH(1)(b)	A statement that "Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity's website]."		If applicable, Mandatory
17AH(1)(c)	Outline of mechanisms of disability reporting, including reference to website for further information.		Mandatory
17AH(1)(d)	Website reference to where the entity's Information Publication Scheme statement pursuant to Part II of FOI Act can be found.		Mandatory
17AH(1)(e)	Correction of material errors in previous annual report		If applicable, mandatory
17AH(2)	Information required by other legislation		Mandatory

A photograph of a sunset over the ocean. The sun is a bright, glowing orb in the upper center, casting a shimmering path of light across the water's surface. The sky is a gradient of warm colors, from yellow near the sun to a soft orange. In the distance, a dark silhouette of a ship is visible on the horizon. The foreground shows the texture of waves and foam. A dark blue diagonal overlay covers the right side of the image, containing the text.

GLOSSARY AND INDEX

Glossary

AAT	Administrative Appeals Tribunal
AIMPE	Australian Institute of Marine and Power Engineers
AMICA	Australian Maritime Industry Compensation Agency Ltd
AMOU	Australian Maritime Officers Union
AMP	<i>Seacare Authority Agency Multicultural Plan 2013–15</i>
AMSA	Australian Maritime Safety Authority —OHS Inspectorate for the Seacare scheme
Coastal Trading Act	<i>Coastal Trading (Revitalising Australian Shipping) Act 2012</i>
FMA Act	<i>Financial Management and Accountability Act 1997</i>
Fraud Control Guidelines	<i>Commonwealth Fraud Control Guidelines 2011</i>
FTE	Full Time Equivalent calculated by the formula: number of berths x (days operated in period/total days in period) x (standard shift hours per day x standard work days per week) (average weekly working hours—taken to be 40.4)
Hours worked	Total hours worked, taking in to account the continuous nature of coverage during a voyage where seafarers, who are generally on board a ship for 24 hours a day, are exposed to the risk of injury for the entire time on board a vessel, whether on or off duty. Calculated using the formula: (number of berths) x (days operated in period) x (daily hours of operation)
HSR	Health and Safety Representative
HWCA	Heads of Workers' Compensation Authorities
IBNR	Incurred but not reported
International trade	Trade between Australia and overseas

Interstate trade	Trade between different states
Intrastate trade	Trade within a single state
IPS	Information Publication Scheme
KPI	Key performance indicator
Levy Act	<i>Seafarers Rehabilitation and Compensation Levy Act 1992</i>

Alphabetical Index

A

annual performance statements 4, 25, 90
annual performance statements
Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)
Functions 14, 15, 16, 20, 25, 26, 37, 39, 45, 54, 61, 62, 89
AON Risk Services Australia Limited 46
Australian Maritime Safety Authority (AMSA) 6, 15, 97
 occupational health and safety report 40, 47
 OHS Inspectorate 40, 94
 Seacare, relationship with 70
Australian Maritime Safety Consultants 38
Australian Offshore Support Vessel Code of Safe Working Practice 19

B

Byrne, Martin 18, 19

C

Chairperson's report 4, 6
Code of Practice Working Group 19
Code of Safe Working Practice for Australian Seafarers 19
Comcare 2, 7, 14, 18, 20, 39, 44, 46, 47, 53, 54, 61, 62, 64, 70
 administrative support, provision of 20
 annual report 5, 7, 20, 25, 40, 44, 45, 46, 47
 Commonwealth Fraud Control Framework 2014 44
compendium report 7, 40
compensation, appropriate and timely (Purpose 1) 25, 26, 61
 analysis 26, 27, 28, 29, 30, 31, 32
 performance criteria 25, 26, 27, 28, 29, 30, 31, 32

compliance index 4, 89, 90, 91, 92, 93, 94
consultancy arrangements 46
corporate governance 47
Corporate Plan 6, 25, 26, 27, 28, 29, 30, 31, 32
cross-agency agreement 7, 20
Curry, Stephen 19

D

declarations by Minister 13
delegation of statutory functions 25, 26, 37, 39, 61

E

Emmerton, Dale 18, 19
exemptions by own motion 6, 13
 multiple vessels - Australian General Register (March 2018) 13
 multiple vessels - Domestic Commercial Vessels (April 2018) 13
exemptions granted under the Act 74
external scrutiny 44, 91

F

financial statements 4, 32, 36, 44, 50, 52, 53, 61, 62, 65, 68, 93
fraud control 44, 93
freedom of information 45
Freedom of Information Act 1982 45

G

glossary 4, 99, 98

H

Health and Safety Representative (HSR) Training Course Accreditation Panel 2, 6, 7, 12, 13, 14, 20, 26, 38, 39, 40, 47

health and safety representative training courses 34, 38, 39
 accreditation 20, 28, 38
healthy and safe workplaces (Purpose 1) 16, 25, 26, 61
 analysis 26
performance criteria 26, 27, 28, 29, 30, 31
Howard, Penny 18, 19

I

Industrial Foundation for Accident Prevention 38
injury claims 24
injury prevention 5, 33, 34
 priorities 32, 33, 34, 35, 36
 Seacare scheme profile 4, 24
injury types 24
insurance 12, 36, 38, 39, 40, 46, 55, 62, 65, 66, 69, 74, 75, 76, 77, 78
internal audit 44

K

key result areas 25
Kinley, Mick 18, 19

L

legal services expenditure 46
letter of transmittal 3, 89
Lindfield, Natasha 18, 19

M

Minister 6, 7, 12, 13, 14, 15, 16, 18, 20, 37, 70, 91
Moran, Jarrod 19
multicultural access and equity 45

N

National Return to Work Survey 28
Newlyn, Jamie 19

O

Occupational Health and Safety (Maritime Industry) Act 1993 13, 14
 Authority functions under 15, 16, 28
 Ministerial declarations 13
occupational health and safety (OHS) plan 6, 7
Occupational Health and Safety Plan 2013-18 6, 7
occupational health and safety report 5, 40
offshore support vessels 19, 37

P

Papa, Meghann 18, 19
Performance and Accountability 6, 25, 44, 46, 53, 62
Public Governance, Performance and Accountability Act 2013 (PGPA Act) 6, 25, 44, 46, 53, 62
 non-compliance report 47
Public Governance, Performance and Accountability Rule 2014 6, 44
Purpose 1 26
Purpose 2 32

R

rehabilitation, appropriate and timely (Purpose 1) 26
 analysis 26, 27, 28, 29, 30, 31
 performance criteria 26
risk management 44

S

Safety, Rehabilitation and Compensation Act 1988 14

Safety, Rehabilitation and Compensation
Commission 14, 47, 62

Samson Maritime Pty Ltd v Aucote 6, 13

Seacare Authority 2016-17 Corporate Plan 6, 25

Seacare scheme 2, 7, 13, 14, 16, 20, 25, 26, 30,
36, 39, 61, 82

changes to 6

employers 4, 12, 15, 16, 18, 29, 32, 36, 37,
38, 39, 56, 60, 75, 82

operators 4, 16, 32, 35, 40, 82

overview 25, 52, 61

profile 4, 24

ships 4, 8, 13, 82, 84, 85

sustainability 25, 36

*Seacare/AMSA Occupational Health and Safety Plan
2013-2018 (OHS plan)* 6, 26, 32, 33, 34, 35, 36

Seafarers Safety Net Fund, performance against
7, 12, 14, 32, 36, 61, 65

*Seafarers and Other Legislation Amendment Bill
2016* 14, 62

Seafarers Rehabilitation and Compensation Act 1992
6, 61, 69

amendments to 14

Authority functions under 16

exemptions under 39

*Seafarers Rehabilitation and Compensation Levy Act
1992* 12, 62, 69

Authority functions under 15, 16

*Seafarers Rehabilitation and Compensation Levy
Collection Act 1992* 69

Seafarers Safety and Compensation Levies Bill 2016
14

*Seafarers Safety and Compensation Levies Collection
Bill 2016* 14

Seafarers Safety Net Fund 7, 12, 14, 36

analysis of financial performance 36

levy collection 7, 20

Seafarers Safety, Rehabilitation and Compensation
Authority (Seacare Authority) 2, 6, 53, 54, 61

annual performance statements 25

Chairperson's report 6

exemptions by own motion 6

functions 15, 39, 61, 62

governance 7, 37, 44, 47

meetings 18, 19, 27, 28, 37

membership 18

operations 18

responsible Minister 15

snapshot 4, 8

statutory functions, performance 25, 37, 39

strategic focus 6

Sherriff, Barry 7, 18, 19, 25, 53

ships 8, 13, 82, 84, 85

Strategic Risk Register 7, 44

T

Taylor, Jennifer 18, 19

W

White, Simon 19

(Footnotes)

- 1 This is a combination of both OHS(MI) and Flag State Control inspections as a result of Maritime Labour Convention, MLC 2006 entering into force.
- 2 When conducting a Flag State Control inspection, surveyors investigate OHS matters under the MLC (Reg 4.3). As such deficiencies may be issued under the *Navigation Act 2012*.

