

BoatSafe Business Rules

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Contents

Terms and Abbreviations	3
1. Introduction	4
2. Authorisation of the Business Rules	4
3. BTO/BTP Application Requirements	4
4. Period of Authority	5
5. Suitable Persons	5
6. BTO Responsibilities	6
7. BTP Responsibilities	7
8. BTP Administrator Responsibilities	8
9. Trainee Trainer Responsibilities	9
10. Management of BTP Authority Holder/s	9
11. Assessing Student Eligibility	10
12. Delivery of BoatSafe Training and Assessment	10
13. Theory Assessment	10
14. Practical Training and Assessment	11
15. Alternate Training Provider - Online	12
16. Training Delivery - Online	13
17. Interrupted Practical Assessment	13
18. Training and Assessment Facilities	14
19. Statement of Competency	14
20. Recognition of Prior Learning	14
21. Medical Fitness of Students	15
22. Records Management	15
23. Ship Requirements	16
24. Auditing	17
25. BoatSafe Information Bulletins	17
26. Code of Conduct	18
27. BoatSafe Name and Logo	18

Terms and Abbreviations

Term, abbreviations and acronyms	Definition
Alternative Training Provider	an individual who holds an authority to develop and offer BoatSafe theory content through an online training platform
BIB	BoatSafe Information Bulletin
BoatSafe training and assessment program	an MSQ approved training and assessment course that complies with the associated Competency Standard
BTO	a company, business, trust, partnership or individual, approved by MSQ as a BoatSafe Training Organisation
BTP	an individual nominated by the BTO and approved by MSQ as a BoatSafe Training Provider
Business Rules	current version BoatSafe Business Rules
Certificate of Completion	the Certificate issued upon the successful completion of the online theory component of an approved BoatSafe training and assessment program
medical disclosure	a disclosure made by a person regarding their medical fitness
National law	<i>Marine Safety (Domestic Commercial Vessel) National Law 2012</i>
prescribed documents or forms	a prescribed document or form is any documentation mandated or provided by MSQ as a component of the BoatSafe training and assessment program
PWCL	Personal Watercraft Licence
PWCL PAS	the 'Personal Watercraft Licence Practical Assessment Statement', mandated practical assessment issued by MSQ
PWCL CAT	the 'Personal Watercraft Licence Common Assessment Tool', mandated theory assessment issued by MSQ
RMDL	Recreational Marine Driver Licence
RMDL PAS	the 'Recreational Marine Driver Licence Practical Assessment Statement', mandated practical assessment issued by MSQ
RMDL CAT	the 'Recreational Marine Driver Licence Common Assessment Tool', mandated theory assessment issued by MSQ
RPL	Recognition of Prior Learning
ship	boat, vessel, personal watercraft (PWC), jet ski
SoC	Statement of Competency
Regulation	<i>Transport Operations (Marine Safety) Regulation 2016</i>
TMR	Department of Transport and Main Roads
Theory units	Units 1, 2, 3, 4 (RMDL course) Units 1 and 2 (PWCL course)
TOMSA	<i>Transport Operations (Marine Safety) Act 1994</i>
training record	a file containing all forms, information and supporting documentation related to the student's training

1. Introduction

BoatSafe provides competency-based training and assessment for the licensing of recreational ship and personal watercraft skippers. This training and assessment may be provided over multiple days or sessions.

To facilitate BoatSafe, Maritime Safety Queensland (MSQ) may grant a company, business, trust, partnership or individual an approval as a BoatSafe Training Organisation (BTO) and/or a BoatSafe Training Provider (BTP) to conduct BoatSafe training and assessment under the *Transport Operations (Marine Safety) Regulation 2016* (the Regulation).

Once approved, a BTO is responsible to maintain its MSQ approved training and assessment program, determines the relevant fees it charges for delivery of service, and provide direct oversight to the BTPs delivering the program on its behalf. The BTO and BTP authority holder are jointly responsible in ensuring that the BoatSafe training and assessment program is delivered as approved by the BoatSafe team. At all times the BTO and BTP are delivering on behalf of the General Manager of Maritime Safety Queensland.

In order to maintain the respective authority, a BTO and/or BTP must comply with all requirements of the BoatSafe Business Rules (the Business Rules), and associated standards and legislation. Failure to comply with these requirements may result in administrative action, which could include a formal warning, suspension or cancellation of their authority.

2. Authorisation of the BoatSafe Business Rules

The BoatSafe Business Rules provide the requirements for the operation of an authority holder as a BTO or a BTP. Authority holders must comply with these requirements as a discretionary condition of approval as detailed in their authority.

The Business Rules were developed to be read in conjunction with:

- *Transport Operations (Marine Safety) Act 1994*
- *Transport Operations (Marine Safety) Regulation 2016*
- BoatSafe RMDL Competency Standard
- BoatSafe PWCL Competency Standard
- RMDL Common Assessment Tools
- PWCL Common Assessment Tools
- RMDL Practical Assessment Statement
- PWCL Practical Assessment Statement
- BoatSafe Information Bulletins
- BoatSafe Audit and Compliance Framework.

3. BTO/BTP Application Requirements

To seek authority as a BTO and/or BTP, an application process must be undertaken which involves, where applicable:

- completion of a 'BoatSafe Training Organisation Application' form and/or
- completion of a 'BoatSafe Training Provider Nomination' form for each individual nominating as a BoatSafe training provider
- submission of a current ASIC Certificate of Registration identifying all directors, and evidence of identity documentation for all directors
- submission of evidence that public liability insurance is held

- the policy must have a minimum value of \$20 million, and
- list MSQ as an interested party.
- provision of information for the commercially certified ship/s to be used in the delivery of the BoatSafe training and assessment program (for example, a copy of the current Certificate of Operation). The ship must either:
 - be minimum class 2E certified and cannot be a class 3 or 4 certified ship under the National Law
 - be a commercial ship exempt from requiring a Certificate of Operation under the National Law (in this case, a unique identifier is still required)
 - be a QRS Other certified ship for school or community groups.
- submission of proposed lesson plan/s for the BoatSafe training and assessment program which ensures all requirements stipulated within the relevant Competency Standard are addressed
- submission of a Code of Conduct which is applicable to all individuals associated with the authority holder delivering the BoatSafe training and assessment program
- a Complaints Management process
- a fair and reasonable Refund Policy that provides, but is not limited to, a full refund to the student if a BoatSafe course is cancelled by the BTO/BTP.
- submission of evidence to support payment of a Criminal History Check for each applicant
- payment of the relevant application fee.

Applications cannot be assessed until all relevant information has been provided. A decision on an application must be made within 28 days from the date a full and complete application is received.

Upon approval of an application, the BTO and/or BTP will receive an authority which will include any applicable reasonable and relevant conditions.

4. Authority

Prior to expiry of an authority a BTO must apply for a new authority for them to be permitted for the continuous delivery of BoatSafe and not incur a gap in authority currency. Applications must be made at least eight (8) weeks prior to the expiry date to ensure continued service delivery.

Authority as a BTO and/or BTP is not transferrable.

Any change to the business structure of an authority holder invalidates the approval. This includes:

- changes of directorship of the company
- as an individual, become insolvent under administration
- as a corporation, become insolvent or being wound up.

The BoatSafe team must be notified of any changes to the operation or management of the authority holder within 14 days. This notification must be in writing to BoatSafe@msq.qld.gov.au.

5. Suitable Persons

MSQ and members of the public place a high degree of trust and confidence in authority holders to perform their functions in a lawful and safe manner and a Criminal History Check is undertaken on all individuals seeking to become a BTO and/or BTP authority holder.

An authority's holder's criminal history can indicate whether they have regard for and understanding of laws, comply with orders made by the court and subsequently whether they are likely to comply with the legislative responsibilities of their authority if their application is granted. An applicant's criminal history can also indicate whether they may pose a risk to the safety of those they train, as well as other vessels and masters in performing the functions of their authority.

In addition to the Criminal History Check, prior compliance history within the BoatSafe framework will also be considered, such as but not limited to, compliance matters, investigations and their outcomes including administrative actions suspension, cancellation and any complaint history.

An authority issued may be issued with conditions that are considered reasonable and relevant to the delivery of the BoatSafe program.

A BTO authority holder must advise the BoatSafe team within 14 days of any director, principal, contact person, or BTP authority holder who has been found guilty of an indictable offence, or an offence against marine safety legislation during the period of authority. This includes but is not limited to marine speeding offences and failure to carry the prescribed safety equipment for the ship. Failure to disclose offences upon application or during the period of authority may result in administrative action, which could include a formal warning, suspension or cancellation of their authority.

6. BTO Responsibilities

The authority holder must ensure:

- 6.1. compliance is maintained in accordance with the conditions of their authority, the BoatSafe Business Rules, and its associated standards and legislation
- 6.2. the authority is current to deliver the approved BoatSafe training and assessment program
- 6.3. public liability insurance is maintained throughout the duration of the authority
- 6.4. the public liability insurance covers the entire business operation, including training venues, training ship operations, and any other venues associated with the delivery of the approved BoatSafe training and assessment program
- 6.5. prior to the submission of the 'BoatSafe Training Provider Nomination' form, that each nominated individual hold:
 - a valid commercial marine driver licence, at least a Coxswain Grade 2 NC
 - a Personal Watercraft Licence, if intending to deliver PWCL training and assessment
 - Statements of Attainment for the following units of competency or a statement from your RTO/university stating the qualifications you have, meet or exceed the 3 units of competency:
 - TAEDEL301 - Provide work skill instruction
 - TAEASS402 - Assess competence
 - TAEDEL401 - Plan, organise and delivery group-based training.
 - current industry skills and experience relevant to BoatSafe training and assessment program
 - evidence the nominated individual has been an approved trainee trainer for at least 4 courses within a three (3) month period.
- 6.6. that they, or a BTP authority holder on their approved schedule, hold a current Certificate IV in Training and Assessment qualification. This qualification must be kept up to date in accordance with the trainer and assessor requirements stipulated by the Australian Skills Quality Authority
- 6.7. the lesson plan/s for the BoatSafe training and assessment program are not amended without seeking written approval from the BoatSafe team.
- 6.8. BTP authority holder/s are monitored to ensure compliance with the approved BoatSafe training and assessment program, relevant conditions of authority, the Business Rules, and associated standards and legislation
- 6.9. they:
 - have a written policy of how and when communications, such as BoatSafe Information Bulletins, will be distributed to its BTP authority holder/s. Evidence must be retained of the acknowledgement from its BTP authority holder/s for receipt of the content contained within the communications

- will review all BoatSafe documentation with its BTP authority holder/s at least annually to ensure the BTP authority holder/s is compliant with the BoatSafe requirements. Evidence of this review must be retained on the BTP authority holder file
 - any MSQ updates to the 'BoatSafe RMDL Competency Standard', and/or 'BoatSafe PWCL Competency Standard' and mandated assessment material are to be incorporated and implemented into its approved BoatSafe training and assessment program by a date determined within the update
- 6.10. no changes occur on prescribed documents or forms issued for use as part of the approved BoatSafe training and assessment program by MSQ
 - 6.11. prescribed documents or forms issued or provided by MSQ or Department of Transport and Main Roads as part of the approved BoatSafe training and assessment program are not individually used for commercial gain
 - 6.12. prior to enrolment, information is provided to each student about the associated training and assessment fee, including relevant licence application fees, and include its Refund Policy and/or exemptions (if applicable)
 - 6.13. the BoatSafe team is notified within 24 hours if an individual participating in, or delivery of, the approved BoatSafe training and assessment program requires treatment from a medical practitioner, emergency services or a health professional
 - 6.14. any commercial engagements with suppliers of products or materials are declared to students upon recommendation of said products or materials. It must be declared to students that MSQ, Department of Transport and Main Roads, or the Queensland Government do not endorse or support recommendations of products or materials
 - 6.15. all communication with the BoatSafe team occurs through electronic methods, where appropriate, via BoatSafe@msq.qld.gov.au.

7. BTP Responsibilities

The authority holder must ensure:

- 7.1. compliance is maintained in accordance with the relevant conditions of their authority, the Business Rules, and associated standards and legislation
- 7.2. the authority is current throughout the duration of its delivery of the approved BoatSafe training and assessment program
- 7.3. the following trainer requirements are addressed and maintained throughout the duration of the authority:
 - a valid marine driver licence (at least a Coxswain Grade 2 Near Coastal)
 - a Personal Watercraft Licence, when delivering an approved PWCL BoatSafe training and assessment program
 - Statements of Attainment for the following units of competency or a statement from your RTO/university stating the qualifications you have, meet or exceed the 3 units of competency:
 - TAEDEL301 - Provide work skill instruction
 - TAEASS402 - Assess competence
 - TAEDEL401 - Plan, organise and delivery group-based training.
 - current industry skills and experience relevant to BoatSafe training and assessment program
- 7.4. maintain industry and trainer skills and competence by undertaking professional development on an annual basis. Evidence must be retained on each BTP authority holder/s file and could include a record of:
 - discussions and/or consultations with peers, industry associations and employers on changes and updates occurring within the maritime industry specific to the BoatSafe program, and/or training practices
 - participation in internal or external courses, workshops, seminars or conferences on relevant subjects within the maritime industry specific to the BoatSafe program, and/or training practices
 - undertaking personal development through the reading of relevant journals, articles or publications

- working in the maritime industry on a part-time or casual basis.
- 7.5. that, if engaged by another BTO authority holder, it is disclosed in writing to the primary BTO authority holder immediately
- 7.6. the approved BoatSafe training and assessment program is delivered in accordance with its approval
- 7.7. no changes occur on prescribed documents or forms issued for use as part of the approved BoatSafe training and assessment program by MSQ
- 7.8. only the training address/es and departure location/s listed on the 'BoatSafe Training Provider Nomination' form are used in the delivery of the approved BoatSafe training and assessment program
- 7.9. all required training equipment and tools, as prescribed in the relevant Competency Standards, is available when students attend the BTP authority holder location, regardless of whether the theory component of the approved BoatSafe training and assessment program was delivered online
- 7.10. that, prior to completing the Statement of Competency, the authority holder is satisfied that the student is competent in all theory and practical components of the BoatSafe training and assessment program
- 7.11. when completing the Statement of Competency, that:
- the document is only signed by a BTP who holds a valid authority
 - the BTP authority holder is satisfied that the person identified on the Statement of Competency is the person they trained and assessed
 - the student's evidence of identity is accurately recorded in accordance with the details provided. Evidence of Identity must include either:
 - a current photographic Driver's Licence
 - a current photographic ID or ID bearing signature of student (reference is to be made to the Department of Transport and Main Roads Evidence of Identify framework for further information, if needed).
 - the document is completed in numerical order, be free of errors or erasures, and be provided to the student in a timely manner
 - the document is completed using a biro type pen ensuring the triplicate sheets are legible. Pencils are not to be used
 - if an error is made, the incorrect Statement of Competency is retained within the book, identified as not for use, and is not issued to the student
 - the Statement of Competency is signed only for students that the authority holder has directly assessed as competent in the practical assessment, and not sign a Statement of Competency on behalf of another authority holder.
- 7.12. that they appropriately supervise trainee trainers, where engaged. Supervision includes:
- providing advice and instruction to the trainee trainer, including feedback on performance to ensure continuous improvement of trainee trainer
 - providing advice and instruction to a student that was not provided by the trainee trainer as needed
 - ensuring that the trainee trainer does not assess the performance of a student.

8. BTP Administrator

An authority holder may allow their administrative personnel to supervise and mark theory assessments.

The authority holder must ensure that administrative personnel:

- 8.1. do not provide training, instruction or advice about the approved BoatSafe training and assessment program to a student

- 8.2. only mark the 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Driver Licence Common Assessment Tool' with the associated answer sheet
- 8.3. always refer students who have been deemed not yet competent in the theory assessment to the BTP authority holder for further training.

9. Trainee Trainer

Prior to a BTO submitting a 'BoatSafe Training Provider Nomination' form to become a BTP authority holder, they must first become a trainee trainer. A trainee trainer must submit a 'BoatSafe Training Provider Nomination' form within three (3) months of approval as a trainee trainer.

A BTO must advise the BoatSafe team that they are requesting to have a trainee prior to the training commencing and have them added to their authority schedule.

In these instances, the BTP authority holder must ensure:

- 9.1. trainee trainers hold:
 - a Coxswain Grade 2 Near Coastal (minimum qualification)
 - a Personal Watercraft Licence (if applicable). The PWC licence must not have been obtained within the last 12 months from the BTP authority holder with whom the trainee trainer is engaged.
- 9.2. under supervision of the BTP authority holder, the trainee trainer delivers the approved BoatSafe training program only
- 9.3. the trainee trainer only marks the 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Driver Licence Common Assessment Tool' with the associated answer sheet
- 9.4. the trainee trainer does not conduct the practical assessment of students undertaking an approved BoatSafe program.
- 9.5. that all training sessions are recorded to permit the identification the day, ships logs and student records.

10. Management of BTP Authority Holder/s

The BTO authority holder must ensure:

- 10.1. each nominated BTP is approved by the BoatSafe team prior to the delivery of their approved BoatSafe training and assessment program to students
- 10.2. only a BTP authority holder engaged by the BTO authority holder, delivers their approved BoatSafe training and assessment program to students
- 10.3. that MSQ is notified within seven (7) working days if a BTP authority holder:
 - ceases to be engaged by the BTO authority holder
 - is charged or convicted of an indictable offence
 - has contravened marine safety legislation
 - has their Certificate of Competency issued under the National Law (if relevant) cancelled or suspended
 - has their RMDL or PWCL (if relevant) cancelled or suspended
 - is incapacitated or otherwise becomes incapable of providing BoatSafe training and assessment.
- 10.4. all BTP authority holders who deliver the approved BoatSafe training and assessment program are recorded on the training record for each student.

11. Assessing Student Eligibility

The BTO and/or BTP authority holder must ensure the student is eligible to undertake the course prior to face-to-face commencement of the approved BoatSafe training and assessment program at the training location. In addition, the BTO and/or BTP authority holder must be able to identify, for each student, their eligibility to meet the elements for Language, Literacy and Numeracy (LLN).

A student's age does not affect the student's eligibility for the completion of the BoatSafe program. Please note that if the student is less than 15 and a half years of age, the student would not be eligible for the issue of a RMDL/PWCL as the BoatSafe Statement of Competency is only valid for a six (6) month period.

All students must be independently assessed and deemed competent, regardless of support provided, as per the requirements stipulated within the relevant Competency Standards.

The authority holder must ensure:

- 11.1. a process is in place to identify any LLN support required prior to each student's enrolment or commencement in the approved BoatSafe training and assessment program, and a pathway of how that assistance can be provided
- 11.2. the student is familiar enough with the English language that the student can fully understand directions and documents relating to the training and assessment for both the practical and theoretical components of the program
- 11.3. the student has completed the theory training component of the training program prior to engaging in practical training
- 11.4. the student holds an RMDL, commercial marine licence, equivalent interstate or overseas marine licence, prior to undertaking the approved BoatSafe training and assessment program for PWCL, unless completing both courses concurrently.

12. Delivery of BoatSafe Training and Assessment

The BTO and/or BTP authority holder must ensure:

- 12.1. any material provided or utilised as part of the approved BoatSafe training and assessment program is not published or reproduced for other purposes without prior written approval of MSQ
- 12.2. content delivered to students outside of the approved material does not contradict the BoatSafe Business Rules, information bulletins, legislation and standards
- 12.3. the BoatSafe Workbook is not used as a substitute for in-class theory training or an online training package
- 12.4. the student has completed the theory component of the training program prior to, but not more than three (3) months, before undertaking the practical training and assessment
- 12.5. that, if a student requires additional practice or training prior to completion of the practical assessment, they are provided with this opportunity, as appropriate, in accordance with the business model of the BTO authority holder.

13. Theory Assessment

The BTP authority holder must ensure:

- 13.1. only the current versions of the 'Recreational Marine Driver Licence Common Assessment Tool' and 'Personal Watercraft Licence Common Assessment Tool' are utilised to assess students' knowledge in the theory component of the training program
- 13.2. the 'Recreational Marine Driver Licence Common Assessment Tool' and 'Personal Watercraft Licence Common Assessment Tool', and the associated answer sheets, are kept in a secure location

- 13.3. the time allocated for students to undertake the assessment is **no more than 45 minutes** for each attempt as needed. Those students identified in Section 11.1 are entitled to additional time but **not more than 60 minutes** for each attempt
- 13.4. that the 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Licence Common Assessment Tool' is not provided to students prior to the theory assessment being undertaken.
- 13.5. that students do not have access to training material whilst undertaking the assessment (this is not an open book assessment)
- 13.6. that all questions are independently attempted by students (the assessment is not a group discussion and is not to be delivered question by question by the BTP or Administrator)
- 13.7. students are not assisted in answering the theory assessment by the BTP authority holder, other than providing clarification on the meaning of a specific question to the whole class
- 13.8. that each student is given a different theory assessment paper from the student beside them, utilising the Green, White and Red versions
- 13.9. that the student is provided an opportunity to complete the theory assessment without intervention from the BTP authority holder or any other persons. Once the theory assessment has commenced, the BTP authority holder is undertaking a formal assessment. No coaching, prompting or further training is allowed or accepted whilst the theory assessment is underway
- 13.10. that each student has achieved 100% in the assessment paper to be deemed competent in the theory assessment
- 13.11. students who are unsuccessful on their first attempt must be provided one (1) further opportunity to be reassessed on the incorrect answers
- 13.12. students who have not achieved 100% on their second attempt must undertake further training and assessment on a different day using a different assessment paper.

14. Practical Training and Assessment

The BTP authority holder must ensure:

- 14.1. that the training and assessment components of the practical are completed separately. This may be at a different time of the day, on a different boat run or, at a minimum, a clear delineation is made to the student by the BTP, between training and assessment
- 14.2. each competency is demonstrated to the student/s, practiced by each student individually and each student is assessed independently
- 14.3. that the student completes the practical assessment without intervention from the BTP authority holder or any other persons. Once the practical assessment has commenced, the BTP authority holder is undertaking a formal assessment. **No coaching, prompting or further training is allowed whilst the practical assessment is underway**
- 14.4. that the student is deemed not yet competent in the practical assessment if the BTP authority holder or any other person intervenes whilst the practical assessment is underway
- 14.5. the student is entitled to one assessment attempt per day
- 14.6. the student is provided feedback on their performance at all times, in particular should they be deemed not yet competent in the practical assessment
- 14.7. Where a student has been deemed not yet competent, the BTP authority holder must retain the completed Practical Assessment Statement on the student file. Upon return of the student, the BTP authority holder must utilise a new copy of the relevant Practical Assessment Statement. The student may undertake only the activities deemed as not yet competent, under the same assessment conditions as per a full assessment. The BTP authority holder may choose to reassess the student on all competencies
- 14.8. The student has three (3) months from the initial practical assessment to return and be reassessed on only those activities deemed not yet competent. If a student returns outside of this timeframe, a full course resit is required

- 14.9. the 'Recreational Marine Driver Licence Practical Assessment Statement' and/or 'Personal Watercraft Driver Licence Practical Assessment Statement' is signed by each student and the BTP authority holder only after the completion of the practical assessment
- 14.10. the relevant Practical Assessment Statement is signed only by the BTP authority holder who has directly assessed the student in the practical assessment
- 14.11. the minimum timeframes apply to all practical training and assessment undertaken for all students in the BoatSafe program, as prescribed below:

Time to complete the prescribed activities for the boat run for 1 person

- Pre-departure brief 20 minutes
- Demonstration 25 minutes
- Practice by student 25 minutes – this is for one practice only, most students will require multiple practice attempts
- Assessment 15 minutes
- Engagement time 20 minutes – this time is for engagement with students to explain the 'why' or to transit to the next activity or time to observe other waterway users and so on.

Total time 105 minutes (1 hr 45 minutes)

Please note for each additional student, the pre-departure brief, demonstration and engagement time is not added, meaning each additional student will add a minimum of 40 minutes.

Number of students	Time
1	105mins – 1hr 45min
2	145mins – 2hr 25min
3	185mins – 3hr 5min
4	225mins – 3hr 45min

Time to complete the prescribed activities for the PWC for 1 person

- Pre-departure brief 10 minutes
- Demonstration 15 minutes
- Practice 10 minutes
- Assessment 10 minutes

Total time 45 minutes

Please note for each additional student, the pre-departure brief time is not added unless performed separately. If you have multiple students for the PWC, we encourage you to complete the pre-departure brief for all students together to support group conversations/interactions. Each additional student will add a minimum of 35 minutes.

15. Alternate Training Provider - Online

An Alternate Training Provider may seek to have a BoatSafe training program approved for delivery through an online platform, opposed to face-to-face. This approval relates to the theory component of the program only.

To seek approval, the Alternate Training Provider must ensure:

- 15.1. compliance is maintained in accordance with the relevant conditions of authority, the Business Rules, and associated standards and legislation
- 15.2. the content delivered within the approved BoatSafe training program is directly based on the current 'BoatSafe RDML Competency Standard', and 'BoatSafe PWCL Competency Standard' that is in place at the time of delivery of the program
- 15.3. the content delivered addresses the prescribed timeframes for each unit as stipulated within the current 'BoatSafe RDML Competency Standard', and 'BoatSafe PWCL Competency Standard' that is in place at the time of delivery of the program
- 15.4. any MSQ required updates to the 'BoatSafe RMDL Competency Standard', and 'BoatSafe PWCL Competency Standard' are to be incorporated and implemented into its approved BoatSafe training program by the date of effect of the updated document
- 15.5. any Alternate Training Provider initiated updates to the approved BoatSafe training and assessment program outside of the above criteria must be approved by the BoatSafe team prior to delivery to students
- 15.6. that the testing of student knowledge through quizzes or similar within the online platform are not reflective of the questions utilised within the 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Driver Licence Common Assessment Tool'
- 15.7. the student is issued with a Certificate of Completion of the relevant BoatSafe program if they have successfully completed the theory component of the training program.

16. Training Delivery - Online

An authority holder may seek to incorporate an approved BoatSafe training program developed by an Alternate Training Provider into its training strategy.

To deliver online, the authority holder must seek written permission from the Alternate Training Provider for its use of the approved BoatSafe training program. Once sought, the authority holder is to seek written approval from the BoatSafe team to incorporate the approved BoatSafe training program through the online platform into its training strategy.

The authority holder must ensure:

- 16.1. the student record contains the details of the Alternate Training Provider utilised
- 16.2. they retain a copy of the Certificate of Completion for the relevant RMDL and/or PWCL course to demonstrate successful completion by the student
- 16.3. a current version of the approved BoatSafe training program is accessible where the course is being delivered.

17. Interrupted Practical Assessment

The authority holder must consider weather interruptions prior to commencing the practical training and assessment components. Practical training and assessment may also be interrupted for other reasons including a ship breakdown or a medical event.

In the event practical training and/or assessment is interrupted, the authority holder must ensure:

- 17.1. the training and/or assessment components of the practical is:
 - rescheduled for a later time on the day
 - changed to another date
 - moved to a safe location.
- 17.2. the training and/or assessment components of the practical is not reduced in any way

- 17.3. that all students undertake, in full, the practical assessment in accordance with the 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Driver Licence Common Assessment Tool' regardless of interruptions
- 17.4. that a notation is made on the student record if the training and/or assessment components of the practical is interrupted.

18. Training and Assessment Facilities

The authority holder must ensure that the delivery of the approved BoatSafe training and assessment program is undertaken in a suitable environment.

The authority holder must ensure:

- 18.1. there is adequate shade, seating, workspaces, drinking water and appropriate toilet facilities available for students:
 - a workspace is a table and seat that provides sufficient space for a student to comfortably work. It must not be in a car or a pedestal seat onboard a boat
 - students must not complete the theory assessment utilising their lap as a replacement for a desk or table
 - toilet facilities must be always accessible and available to students they are undertaking training and assessment.
- 18.2. a review of the risks posed by the waterway and embarking/disembarking areas on the day the training is completed and as needed, recorded in the ships log for the day. Any risks and mitigation strategies identified because of the review are communicated to the student.
- 18.3. there is enough equipment to perform on water functions and activities.

19. Statement of Competency

The BTO authority holder must ensure:

- 19.1. a register is maintained of all Statement of Competency books issued to BTP authority holder/s
- 19.2. the BoatSafe team is notified immediately if a Statement of Competency is lost, stolen, or incorrectly issued
- 19.3. all unused Statement of Competency books and declarations are returned to the BoatSafe team if the BTO authority holder ceases to operate, is suspended, or has their authority cancelled
- 19.4. written notice is provided to the BoatSafe team within seven (7) days of a BTP authority holder ceasing to sign Statements of Competency on behalf of the BTO authority holder
- 19.5. unused Statement of Competency books is retrieved from the BTP authority holder once the BTP has been removed from the BTO authority holder's Schedule.

20. Recognition of Prior Learning

The authority holder may accept a request from a student for Recognition of Prior Learning.

The authority holder must ensure:

- 20.1. the student has provided sufficient evidence to support their request for Recognition of Prior Learning
- 20.2. the 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Driver Licence Common Assessment Tool', and the 'Recreational Marine Driver Licence Practical Assessment Statement' and/or 'Personal Watercraft Driver Licence Practical Assessment Statement' is successfully completed

- 20.3. all evidence utilised to determine the student's competence must be retained on the student file, including evidence demonstrating the analysis undertaken by the BTP authority holder in determining the outcome of the application.

21. Medical Fitness of Students

All students undertaking an approved BoatSafe training and assessment program, or applying for Recognised Prior Learning, must declare to the BoatSafe trainer that they have considered the activities included in the course and that they are fit to conduct training and assessment before the beginning of the training and assessment.

The authority holder is responsible for providing the opportunity to the student to declare any medical conditions prior to the conduct of the course. The authority holder is responsible to record any student declarations and retain them on the student's file. (This does not include medical condition details)

The authority holder is responsible to take any necessary and appropriate steps to manage the welfare and safety of the student/s. The authority holder is required to record any steps taken to manage the student's welfare and safety.

22. Records Management

The authority holder must ensure:

- 22.1. all records are kept in a safe and secure manner, free from fire, flood and vermin
- 22.2. records kept in an electronic format only:
- are backed up to ensure data quality and integrity
 - are retained in a format that is accessible for the duration of the retention period.
- 22.3. all records are kept for a period of two (2) years from course completion and are available to MSQ within five (5) working days, if requested
- 22.4. once the retention period has expired, records are destroyed in a secure manner
- 22.5. a current copy of the BTP Schedule issued by the BoatSafe team is retained
- 22.6. a record of the acknowledgement received from its BTP authority holder/s on receipt, and understanding, of the content contained within the communications
- 22.7. a register of the BTP authority holder/s engaged is maintained. The BTP authority holder register must include:
- the full name of the BTP authority holder
 - date the 'BoatSafe Training Provider Nomination' form was accepted by the BoatSafe team for each BTP authority holder
 - date commenced, and concluded (if applicable), being engaged by the BTO authority holder
 - evidence of all training and assessment delivery reviews undertaken by the BTO authority holder.
- 22.8. a register of the trainee trainers engaged is maintained. The trainee trainer register must include:
- the full name of the trainee trainer
 - date commenced, and concluded (if applicable), being engaged by the BTO authority holder
 - dates, times and details of all activities the BTP authority holder has supervised the trainee trainer conducting
 - date the 'BoatSafe Training Provider Nomination' form was accepted by the BoatSafe team to become a BTP authority holder (if applicable).
- 22.9. a register of ships utilised for the approved BoatSafe training and assessment program is maintained. The register must include:
- ship identification number

- certification expiry date
- safety equipment expiry date/s.

22.10. a register of Statements of Competency is maintained. The register must include:

- the BTP authority holder to whom the Statement of Competency book has been issued to
- the date the Statement of Competency book is issued and the date it is returned
- serial number of the Statement of Competency book
- the Statement of Competency individual certificate numbers issued by a BTP authority holder, if the book is returned and reissued.

22.11. the following records, documents and information must be retained for each student:

- the full name of the student
- date and location where the program was delivered, the BTP authority holder who conducted the approved BoatSafe training and assessment program, and trainee trainer name (if applicable)
- start and finish training times
- start and finish assessment times
- details of the ship used to deliver the program
- a completed 'In Case of Emergency' information form
- a completed and signed Medical Fitness Disclosure and evidence to support steps as needed being taken to manage the safety and welfare to the student (if applicable)
- evidence of any language, literacy and/or numeracy support required, and how assistance was provided
- if completed the theory component online, a copy of the Certificate of Completion
- evidence to support a completed Recognition of Prior Learning process (if applicable)
- completed 'Recreational Marine Driver Licence Common Assessment Tool' and/or 'Personal Watercraft Driver Licence Common Assessment Tool'
- completed 'Recreational Marine Driver Licence Practical Assessment Statement' and/or 'Personal Watercraft Driver Licence Practical Assessment Statement'
- completed Statement of Competency.

22.12. the following records, documents and information must be retained for each BTP authority holder:

- signed BTP declaration stating they have read, understood and agree to deliver the approved BoatSafe training and assessment program relevant to the BTO authority holder
- the relevant marine driver licence held, including Personal Watercraft Licence (if applicable)
- the relevant training qualification held
- annual professional development evidence within industry and training practices.

23. Ship Requirements

The authority holder must ensure:

23.1. the approved BoatSafe training and assessment program is performed in a suitable ship currently certified as a commercial ship, and is approved for the delivery of training and assessment

23.2. the training ship and personal watercraft must always, be neatly presented and display itself in a safe, maintained and seaworthy state

- 23.3. the training ship must be able to perform all manoeuvres described on the Practical Assessment Statement with the full complement of students and the BTP onboard.
- 23.4. the training ship must provide sun protection to the trainer and students when in their normal seating positions. Where the ship design does not provide sufficient or appropriate shade the student shall be provided with or required to supply themselves appropriate personal protective items, such as but not limited to long sleeve shirt, hat, sunglasses and sunscreen.
- 23.5. all personal watercraft used for the approved BoatSafe training and assessment program must be equipped with rear boarding step, or similar reboarding assistance device, and a braking/reversing system:
- the PWC must be able to carry the expected load with adult riders/students.
- 23.6. all ships used for the approved BoatSafe training and assessment program must:
- carry the required safety equipment in accordance with the TOMSA/National law
 - comply with the general safety obligations of TOMSA/National law
 - display the registration numbers or unique identifier in accordance with the TOMSR/National Law
 - be serviced in accordance with the ship and its equipment's manufacturer's requirements. Servicing records are to be made available to MSQ upon request.
- 23.7. that the inside of the ship is sufficiently clean so that it does not jeopardise the health or safety of occupants. Specifically, the inside of the ship must be:
- hygienic (for example, no rotting food, no animal excrement)
 - clean (for example, no excessive dirt or grease)
 - free of loose materials, equipment and fittings (for example, food containers, paint tins, papers).
- 23.8. all wiring is appropriately covered and secured, including batteries and their terminals
- 23.9. that the approved BoatSafe training and assessment program is not delivered on any training ship where warning lights and alarms are present, or warning lights and alarms have been inactivated. Any alarms shall require the course to cease, and the vessel be serviced as needed
- 23.10. that trailers, vehicles and any other equipment utilised in the delivery of the approved BoatSafe training and assessment program are in a good condition, neatly presented and in a roadworthy condition.

24. Auditing

All BoatSafe audits are conducted in accordance with the 'BoatSafe Audit and Compliance Framework'. Information specific to the audit process and its requirements are retained in the Framework.

The authority holder must:

- 24.1. upon request, fully cooperate with MSQ during the initiation, conduct and conclusion of a BoatSafe audit
- 24.2. permit entry of MSQ representatives onto premises, and allow access to documents, equipment and representatives of the BTO and/or BTP authority holder
- 24.3. upon request, attend the BoatSafe audit as directed by a representative of MSQ
- 24.4. ensure representatives of the BTO and/or BTP authority holder do not intimidate, abuse or similar (for example, threaten, assault, harass) representatives of MSQ.

25. BoatSafe Information Bulletins

The authority holder must:

- 25.1. comply with all BoatSafe Information Bulletins issued by the BoatSafe team

- 25.2. distribute BoatSafe Information Bulletins to all BTP authority holder/s engaged by the authority holder within seven (7) days of issue, unless directed otherwise within the BoatSafe Information Bulletin
- 25.3. advise BTP authority holder/s when BoatSafe Information Bulletin have been rescinded within seven (7) days of this occurring, unless directed otherwise within the BoatSafe Information Bulletin
- 25.4. ensure all BTP authority holder/s understand and comply with the BoatSafe Information Bulletin.

26. Code of Conduct

The authority holder must ensure that:

- 26.1. they, and all individuals engaged, avoid any conflict between personal interests and obligations under the approval
- 26.2. BTO authority holders must not recruit or seek to recruit staff of the Department of Transport and Main Roads (the department), including Maritime Safety Queensland. BTOs must implement mechanisms to identify any of these cases and ensure nominated BTPs do not work for the department
- 26.3. they, and all individuals engaged, behave courteously and respectfully towards any persons the authority holder encounters when providing the approved BoatSafe training and assessment program
- 26.4. they, and all individuals engaged, do not intimidate, abuse, insult, harass or otherwise cause distress to any student, former student, members of the public, other BTO and/or BTP authority holders or representatives of the BoatSafe team
- 26.5. they, and all individuals engaged, do not engage in conduct that brings BoatSafe, other BTO and/or BTP authority holders, themselves, or MSQ into disrepute
- 26.6. they, and all individuals engaged, do not publish defamatory matters about BoatSafe, another authority holder, or MSQ
- 26.7. They are always clear and transparent to the community regarding the way that they advertise their fees.

27. BoatSafe Name and Logo

The BoatSafe name and logo has been trademarked by MSQ and is subject to copyright. The word BoatSafe and two associated BoatSafe logos were formally registered by MSQ on 16 May 2001.

Registration of the trademarks gives MSQ the legal rights to exclusive use and control of both the word BoatSafe and the two logos for the period for which registration remains current.

MSQ also has the legal right to protect the BoatSafe name and trademark and is entitled to take action for infringement if another person uses the name or trademark or a similar name and/or trademark. Matters considered when considering trademark infringements include:

- A visual comparison of the trademark and the alleged infringing word/s or image. What are the differences and similarities?
- An aural comparison of the trademarks, that is, how they would be pronounced and so on. Will slurred or varied pronunciations cause confusion with the registered trademark, or do they sound the same as the trademarked words?
- The idea of the alleged infringing word/s or image relative to the registered trademark, that is, is this idea similar?

The BoatSafe name and logo may only be used in its current form by an approved BTO and/or BTP authority holder and may not be used for any purpose other than promotion of BoatSafe competency-based training and assessment in Queensland.

Sanctions may be placed on any training organisations or training providers who use the trademarked BoatSafe name and/or logo except as provided by MSQ, or without the prior written consent of MSQ.