




MARINE DETERMINATION
Licensing of Harbour Masters
2026



PREFACE

I, Kate Maheras, Director, Safety Strategy and Insights, Safe Transport Victoria, make this Determination under sections 224 and 258(1)(h) of the *Marine Safety Act 2010* (Vic).

Dated 4 May 2026



KATE MAHERAS

Director, Safety Strategy and Insights
Delegate of Safe Transport Victoria

CONTENTS

Preface	2
Contents	3
1. Purpose	4
2. Authorising Provision	4
3. Definitions	4
4. Requirements	5
4.1. Qualification and Experience	5
4.2. Fitness and Character	5
4.3. Continuing Professional Development	6
4.4. Term of Licence	6
4.5. Obligations of the Licence Holder	7
4.6. Suspension or Cancellation	7
4.7. Exemption	8
5. Administrative Arrangements	8
5.1. Application for the Initial Issue of a Harbour Master Licence	9
5.2. Renewal of Licence	9
5.3. Transition	9
5.4. Review of Determination	10

1. PURPOSE

The purpose of this Determination is to specify the requirements and training standards for the licensing of persons to act as Harbour Masters under sections 224 and 258(1)(h) of the *Marine Safety Act 2010* (Vic).

2. AUTHORISING PROVISION

This Determination is made under sections 224 and 258(1)(h) of the *Marine Safety Act 2010* (Vic) and commences on 4 May 2026.

The previous determination is revoked with effect from the date this Determination commences.

3. DEFINITIONS

In this Determination,

Channel Operator

Has the same meaning as in the *Port Management Act 1995*.

Continuing Professional Development (or CPD)

Means career-long learning and training, undertaken both formally and informally to advance each individual Harbour Master's knowledge, skills, experience and professional development.

Determination

Refers to this Determination, setting licensing and training requirements for Harbour Masters.

Harbour Master

Means a person who holds a Harbour Master Licence under section 224 of the *Marine Safety Act 2010* (Vic).

Harbour Master Licence

Means a licence granted under section 224 of the MSA.

Local Port Manager

Means, in relation to a local port, the person or body appointed under section 44A of the *Port Management Act 1995* as the port manager of that port.

MSA

Means the *Marine Safety Act 2010* (Vic);

Port Waters

In relation to a port, means the waters declared by Order in Council under section 5 (2) of the *Port Management Act 1995* to be port waters of the port;

Safe Transport Victoria (or ST Vic)

Means the body continued under section 115B of the *Transport Integration Act 2010* (Vic);

State Waters

Means:

- a) the territorial sea adjacent to the State; and
- b) the sea on the landward side of the territorial sea adjacent to the State that is not within the limits of the State; and
- c) waters within the limits of the State;

Waterway Manager

Means a person or body that has been declared under section 6 of the MSA to be a waterway manager.

4. REQUIREMENTS

4.1. Qualification and Experience

4.1.1. The applicant for a Harbour Master Licence must hold the appropriate qualifications and provide evidence of their maritime competencies, knowledge and experience in port operations, demonstrating their capacity to make informed decisions in respect of the Port Waters or State Waters for which the licence is sought, under both normal and emergency operational conditions.

4.1.2. The applicant shall possess

- a) A valid certificate of competency as Master Unlimited, Master Class 1 or an equivalent qualification approved by ST Vic in consultation with the relevant port management body, or such other maritime qualifications, training or experience as ST Vic may direct; and
- b) relevant port operational experience verified by the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable); and
- c) appropriate qualifications, training and experience to demonstrate the relevant competencies required to undertake Harbour Master duties for the commercial port or local port applied for, including but not limited to:
 - i) manage port safety and risk associated with safe operation and safe navigation of vessels.
 - ii) produce systematic, consistent and well-documented port marine safety information including Harbour Masters Directions, Port Information Guides and Notice to Mariners bulletins.
 - iii) review, interpret and apply powers conferred in relevant national and state legislation, local regulations, codes of practice, industry standards and guidelines.
 - iv) report and assist with investigations into marine incidents.
 - v) assess the needs and ensure the implementation of an appropriate pilotage, pilot transfer and towage service as required by port operations.
 - vi) assess the need for an appropriate vessel traffic service.
 - vii) manage port marine conservancy and environmental responsibilities.
 - viii) plan for and manage port marine emergencies and periods of disruption.

4.2. Fitness and Character

4.2.1. Harbour Masters are accountable to ST Vic for the exercise of statutory functions, and to their employer for the exercise of port management and port operations. In view of the associated responsibility of the employer to provide a licensed Harbour Master and that ST Vic is responsible for licensing a person chosen by the port authority, the Channel Operator, Local Port Manager or Waterway Manager (as applicable), ST Vic acknowledges the application for licensing is a joint responsibility of applicant and employer. Supporting documentation is accordingly required from the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable), to attest to the fitness and character of the applicant.

4.2.2. The applicant is responsible for applying for a Harbour Master Licence. To assist ST Vic's assessment, the application must be accompanied by a letter containing supporting information from the relevant port entity confirming:

- a) the applicant has been selected for engagement, or is proposed to be engaged, as Harbour Master subject to the grant of a licence;
- b) the port entity's assessment that the applicant is competent to perform the operational requirements of the role; and
- c) any other information reasonably required by ST Vic to determine the application.

4.2.3. In assessing an applicant's suitability, ST Vic may have regard to matters relevant under the MSA, including:

- a) compliance history and disciplinary matters under sections 164 - 166;
- b) any convictions for dishonesty or professional misconduct; and
- c) any other matter relevant to safe exercise of Harbour Master functions.

4.2.4. An applicant must truthfully and fully disclose their compliance history and all matters as it relates to their fitness and character outlined in clause 4.2.3.

4.2.5. Harbour Masters have an ongoing obligation to notify ST Vic, as soon as practicable, if any one or more of the matters outlined in clause 4.2.3 arise, or if they may no longer satisfy the requirements relating to their fitness and character.

4.2.6. ST Vic may seek information or inquiries to the extent authorised under the MSA for the purposes of licensing decisions or disciplinary action. This Determination does not create any additional investigative powers.

4.3. Continuing Professional Development

4.3.1. A Harbour Master must undertake CPD to maintain the competencies required under this Determination and must maintain a record of CPD activities. Evidence of CPD must be provided at renewal. ST Vic may publish guidance on recommended CPD activities. Throughout the duration of their licence, CPD undertaken should address the requirements set out in clause 4.1 and 4.2 of this Determination. Acceptable types of activities include, but not limited to:

- a) formally accredited education and training;
- b) participation in professional body and maritime industry activity;
- c) on-the-job training or mentoring.

4.4. Term of Licence

4.4.1. A Harbour Master Licence takes effect on the day it is granted in accordance with section 224(6) of the MSA. The licence is granted on the condition that the person to whom it is granted is engaged, or is to be engaged, as a Harbour Master by the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable) for Port Waters or State Waters controlled by the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable). If the licensee does not commence that engagement, the licence is taken to have no continuing effect, and ST Vic may cancel the licence accordingly.

4.4.2. A Harbour Master Licence will cease to have effect in the event of:

- a) the Harbour Master's employment or engagement with the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable), ceasing for any reason; or
- b) the death of a Harbour Master; or
- c) any degree of physical or mental impairment of a sustained duration, that renders a Harbour Master unfit to exercise the powers and the functions of the role and disrupts the continuous, safe and effective management of the relevant port for which the licence is issued.

4.4.3. In the event a Harbour Master's employment or engagement is terminated (as set out under clause 4.4.2(a)) the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable), or the Harbour Master must immediately notify ST Vic. The licence will be cancelled by ST Vic, and the powers and functions will immediately cease to apply.

4.4.4. Subject to the provisions contained in clause 4.6 and providing the licence has not been suspended or cancelled by ST Vic, the licence will otherwise be valid for five (5) years, or for any such shorter period as may be determined by ST Vic at the time of issue of the licence.

4.4.5. A person who holds a Harbour Master Licence must not continue to act as a Harbour Master if ST Vic has cancelled or suspended that person's Harbour Master Licence.

4.5. Obligations of the Licence Holder

4.5.1. A Harbour Master must comply with all relevant provisions of this Determination, the MSA, the *Port Management Act 1995*, or the *Port Management (Local Ports) Regulations 2025* and any other regulations and directions of ST Vic made under those Acts for the time being in force.

4.5.2. Harbour Masters are required to use the utmost care and diligence in the performance of their functions, or the exercise of their powers, to ensure the safety of persons and the safe operation of vessels while minimising the effect of vessel operation on the environment.

4.5.3. Prior to issuing any written or oral direction prescribed under section 232 of the MSA, Harbour Masters must take into account:

- a) the nature and level of the safety risk intended to be minimised or eliminated.
- b) the viability of alternative ways to address the matter.
- c) the expected benefits and costs of the direction on persons involved.

4.5.4. Harbour Masters are obligated not to give any direction relating to the entry and removal of vessels if the direction would endanger the life of any person on the vessel.

4.5.5. Harbour Masters are required to notify ST Vic if they consider that safety of navigation in Port Waters or State Waters under their control is being jeopardised for any reason.

4.6. Suspension or Cancellation

4.6.1. Section 166 of the MSA allows for ST Vic, subject to section 167, to take disciplinary actions against a Harbour Master Licence holder including suspension or cancellation of licence.

- 4.6.2. In determining whether to take disciplinary action, ST Vic, will adhere to its Monitoring, Compliance and Enforcement Policy, and having regard to the matters set out under section 164 and section 165 of the MSA, and this Determination.
- 4.6.3. Suspension and cancellation of licences are governed by Part 6.2 of the MSA and any relevant ST Vic policies.

4.7. Exemption

- 4.7.1. Section 260 of the MSA provides ST Vic the discretion, by notice in writing, to grant exemption from any requirement of the MSA if ST Vic determines:
- a) the requirement has been substantially complied with; or
 - b) the purpose of the requirement has been adequately achieved; or
 - c) compliance with the requirement would be impracticable, unnecessary, or inappropriate in the particular circumstances.
- 4.7.2. ST Vic retains the ability to suspend, cancel or alter the period or terms and condition of any granted exemption at any time.

5. ADMINISTRATIVE ARRANGEMENTS

5.1. Application for the Initial Issue of a Harbour Master Licence

5.1.1. An application for the issue of a licence as Harbour Master must be made in writing by the applicant.

5.1.2. The application must state the Port Waters or State Waters for which the license is sought, and must be accompanied by the following documentation:

- a) a certified copy of the applicant's certification and documents required by ST Vic.
- b) one (1) passport sized photograph of the applicant; and
- c) supporting information from the relevant port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable) that Channel Operator:
 - i) confirms the applicant has been selected for engagement, or is proposed to be engaged, as Harbour Master for the relevant port subject to the grant of a licence;
 - ii) provides the port entity's assessment of the applicant's competence and experience to perform the statutory functions, and exercises the statutory powers of a Harbour Master, prescribed by the MSA;
 - iii) provides any information relevant to the applicant's suitability, including any matters of the kind referred to in sections 164-166 of the MSA (where applicable);
 - iv) Channel Operator identifies any limits or conditions that the port entity considers ST Vic should impose on the licence (if any); and includes the proposed identity card details for the applicant for approval by ST Vic, in accordance with section 221 of the MSA.

5.1.3. A person who has applied for, previously held, or currently holds a licence may apply for internal review of a reviewable decision under Part 8.7 of the MSA, or may seek external review in the Victorian Civil and Administrative Tribunal (VCAT).

5.2. Renewal of Licence

5.2.1. Unless ST Vic otherwise determines, renewal of the licence will be subject to provision of satisfactory evidence, including:

- a) a written application from the applicant, supported by written documents in accordance with the requirements of clause 5.1.2(c) from the port authority, Channel Operator, Local Port Manager or Waterway Manager (as applicable); and
- b) evidence that the applicant has satisfactorily completed CPD requirement as outlined in clause 4.3.

5.3. Transition

- 5.3.1. A Harbour Master Licence that is in effect immediately before the date of commencement of this Determination continues in effect on and from that day.
- 5.3.2. A Harbour Master Licence to which clause 5.3.1 applies will be valid for five (5) years from the date of commencement of this Determination, provided the licence has not been suspended or cancelled by ST Vic.

5.4. Review of Determination

This Determination will be reviewed at an interval not exceeding five (5) years from the date of issue. A Harbour Master may request ST Vic to review this Determination earlier to meet port operational needs.

