

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE

AUSTRALIAN MARITIME SAFETY AUTHORITY

AND

**INTERNATIONAL EMERGENCY RESPONSE
COORDINATION CENTRE**

FOR

DISTRESS ALERTING

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FOR
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The Australian Maritime Safety Authority (AMSA), an Australian statutory authority and the International Emergency Response Coordination Centre (IERCC), an Alerting Post located in the United States of America, (the Parties):

Recognising the importance of effective search and rescue alerting and the need for effective communications during the coordination of a search and rescue operation;

Noting the relevant provisions of the standards and recommended practices contained in Annex 12 to the Convention on International Civil Aviation 1944, the Annex to the International Convention on Maritime Search and Rescue 1979, the International Convention on Safety of Life at Sea 1974, and Article 98 of the United Nations Convention on the Law of the Sea 1982;

Also noting the Australian national search and rescue arrangements as set out in the Australian National Search and Rescue (SAR) Manual and the Australian National SAR Plan;

Further noting that in accordance with the Australian National SAR Manual and Australian National SAR Plan only Australian SAR Authorities can coordinate SAR activity in the Australian search and rescue region (SRR);

Accepting that the SPOT Personal Satellite Messenger device is relatively new to the Australian market and that the distress alerting process to be followed as a result of a distress alert in the Australian SRR requires definition; and

Desiring to establish effective distress alerting and communications for the SPOT device;

Agree the following:

1. IMPLEMENTING AGENCIES

1.1 AMSA and IERCC are the agencies that will implement this Memorandum of Understanding (MOU). These agencies have responsibility for the operation of the Australian Rescue Coordination Centre and the International Emergency Response Coordination Centre Alerting Post respectively.

1.2 The term 'Rescue Co-ordination Centre' (RCC), means a unit responsible for promoting efficient organisation of search and rescue services and for coordination of the conduct of search and rescue operations within a SRR.

1.3 The RCC and Alerting Post covered by this MOU will be:

- a) For AMSA: RCC Australia
- b) For IERCC: IERCC

2. AUSTRALIAN SEARCH AND RESCUE REGION (SRR)

2.1 The Australian SRR is delineated as follows:

The area bounded on the West by meridian 75°E, on the east by meridian 163°E, extending south to the South Pole and bounded on the north by a line joining 6°S 75°E, 2°S 78°E, 2°S 92°E, 12°S 107°E, 12°S 123°20'E, 9°20'S 126°50'E, 7°S 135°E, 9°50'S 139°40'E, 9°50'S 141°E, 9°37'S 141°01'06"E, 9°08'S 143°53'E, 9°24'S 144°13'E, 12°S 144°E, 12°S 155°E, 14°S 155°E, 14°S 161°15'E, 17°40'S 163°E.

3. SPOT PERSONAL SATELLITE MESSENGER

3.1 The SPOT Personal Satellite Messenger device (SPOT) and its associated service originate from a USA company called SPOT LLC. SPOT is primarily a tracking device which can also send preformatted messages indicating that a person is safe or that they require non-emergency assistance. In addition the user is able to alert an Alerting Post that they are in distress. SPOT LLC has contracted for the provision of around the clock emergency monitoring and response to SPOT users through the IERCC.

4. SPOT EMERGENCY ASSISTANCE ALERTING PROCESS

4.1 A SPOT user will initiate a response by pressing and holding the '911' button on the SPOT device. The device will obtain a GPS fix and send the location and event request via the *Globalstar* satellite system. The emergency assistance request (distress alert) will be relayed to the IERCC.

5. STANDARD OPERATING PROCEDURES

5.1 When a SPOT distress alert is detected from a GPS location within the Australian SRR the following procedures will be followed:

- a) IERCC will confirm that the distress position is within the Australian SRR.
- b) The IERCC SAR Mission Coordinator (SMC) will advise RCC Australia by telephone of the time and location of the SPOT distress alert and any other relevant information including track data for the relevant SPOT unit in GPX format.
- c) RCC Australia is to be the sole Australian point of contact for IERCC unless otherwise authorized by this MOU.

- d) The IERCC will make every effort to determine whether the SPOT distress alert is a false alarm and advise RCC Australia accordingly.
- e) After contact with the SPOT emergency contacts the IERCC SMC will advise RCC Australia by telephone and e-mail of any further information such as an updated position, trip details, medical conditions and number in the group.
- f) RCC Australia will update the IERCC SMC as required by telephone and e-mail.
- g) IERCC will maintain the relationship with the SPOT user's emergency contact list keeping them up to date with SAR progress.
- h) IERCC may continue to receive further information and position updates and these will be advised to RCC Australia as required.
- i) RCC Australia will acknowledge each communication from IERCC to RCC Australia.
- j) Once the person in distress has been located and removed to a place of safety, RCC Australia will advise IERCC by telephone and e-mail.

5.2 Details of RCC Australia and IERCC communications and contact points are set out in Schedule 1. Schedule 1 may be updated by mutual agreement without affecting the parent MOU.

6 OVERALL COORDINATION BY A SAR AUTHORITY OTHER THAN RCC AUSTRALIA

6.1 In accordance with the Australian National SAR Plan, overall coordination of a SAR operation may be transferred from RCC Australia to an Australian State or Territory Police force or service. In such circumstances:

- a) RCC Australia will advise IERCC of the transfer of overall coordination.
- b) RCC Australia will normally retain the communications role with IERCC; however, RCC Australia may authorize direct communications between the Australian State/Territory Police and IERCC if this is the most efficient in the particular circumstances of an operation.
- c) In this case, RCC Australia will advise all communications details which may be required by IERCC and RCC Australia is to be copied on all communications.

7. GEOS PRIVATE SEARCH AND RESCUE MEMBERSHIP

- 7.1 SPOT customers are offered a form of additional cover which can be used to pay for SAR resources.
- 7.2 In many areas of Australia SAR resources are scarce and any attempt at conducting parallel or competing SAR operations could be counter productive and potentially cause confusion.
- 7.3 Both Parties acknowledge and agree that no SAR activity will be sponsored in the Australian SRR without first consulting with, and receiving the approval of, RCC Australia.
- 7.4 Both Parties acknowledge and agree that no SAR activity which might be funded from private SAR cover will be activated by RCC Australia or an Australian State/Territory Police force or service without first consulting with IERCC and receiving approval for the activation of those additional activities from IERCC.
- 7.5 Both Parties recognise that use of resources funded from private SAR cover may improve the outcomes for persons using the SPOT service. The IERCC will provide and manage a timely process for approval of requests for funding of resources from private SAR cover when this is requested by RCC Australia or another SAR coordinating Authority.

8. SAR OPERATIONAL LIABILITIES

- 8.1 Each Party will be responsible for expenses incurred by their own agencies during any SAR operation, unless otherwise agreed under clause 7.
- 8.2 Each Party continues to be subject to its national laws and this MOU does not:
 - a) create any legal obligations
 - b) create any legal relationship between the parties
 - c) relieve either Party of its liability in any form or transfer that liability from one Party to the other.

9. USE OF AMSA NAME AND LOGO

- 9.1 AMSA is not, by this MOU, endorsing the SPOT device or the IERCC service and does not permit, unless otherwise authorised in writing, the use of its name or logo.

10. REVIEW AND AMENDMENT

- 10.1 The Parties agree that ongoing dialogue will be facilitated as required to give effect to this MOU. The responsible officers are as identified in Schedule 1.
- 10.2 This MOU may be amended by mutual decision of the Parties by exchange of letters.

11 SETTLEMENT OF DISPUTES

11.1 Any disputes between the Parties arising out of the interpretation or implementation of this MOU will be settled amicably by consultation between the Parties.

12. COMMENCEMENT AND DURATION

12.1 This MOU will come into effect on signature of both Parties.

12.2 This MOU may be terminated at any time by mutual consent or by either Party upon giving ninety (90) days notice in writing.

In witness whereof the undersigned, being duly authorised by their respective agencies, conclude this MOU.

GENERAL MANAGER
EMERGENCY RESPONSE DIVISION
AUSTRALIAN MARITIME
SAFETY AUTHORITY

Signed in duplicate This day of , 2009

MARK GARVER
VICE PRESIDENT OPERATIONS
INTERNATIONAL EMERGENCY RESPONSE
COORDINATION CENTRE

Signed in duplicate This day of , 2009

Communications and Contact Details

Australian Maritime Safety Authority

Contact point for issues related to this MOU:

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Planning and Business Support Manager
Emergency Response Division
Australian Maritime Safety Authority
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Contact point for operations:

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GEOS Guidry Response, LLC

Contact point for issues related to this MOU:

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