



# Livingstones & SHR

GROUP

Vice President Hatcher  
Fair Work Commission

e: amod@fwc.gov.au

Date 11/09/2019  
Our Ref: SEA-01-43\00470404.DOCX

**RE: 4 Yearly Review of Modern Awards—Seagoing Industry Award 2010, Ports, Harbours and Enclosed Water Vessels Award 2010, Marine Towage Award 2010 (AM2016/5)**

Dear Vice President

We write on behalf of Sea Swift Pty Ltd (**Sea Swift**) in relation to the above matter and the Draft Determinations issued on 21 August 2019.

Sea Swift supports the making of the Draft Determinations in respect of the *Seagoing Industry Award 2010* and the *Ports, Harbours and Enclosed Water Vessels Award 2010*.

In respect of the *Marine Towage Award 2010*, Sea Swift submits that clause 4.4 of the Draft Determination should be amended to clarify that the award does not cover employers in respect of their operations covered by the *Seagoing Industry Award*. Sea Swift proposes that the clause be amended as follows:

*4.4 This award does not cover employers in respect of their operations covered by the following awards:*

- (a) the Ports, Harbours and Enclosed Water Vessels Award 2010; or*
- (b) the Seagoing Industry Award 2010.*

Sincerely

**Ben Cooper**  
**Associate Director**  
**Agent for Sea Swift Pty Ltd**

