



AMSA EX10

Marine Safety (Operation of fishing vessels) Exemption 2017

I, Gary Prosser, Acting Chief Executive Officer of the Australian Maritime Safety Authority (the National Marine Safety Regulator under section 9 of the *Marine Safety (Domestic Commercial Vessel) National Law*), make this instrument under subsection 143(1) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

12 December 2017

Gary Prosser
Acting Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Operation of fishing vessels) Exemption 2017*.

2 Duration

This instrument:

- (a) commences on 1 February 2018; and
- (b) ceases to have effect at the end of 30 June 2020.

3 Repeal

Marine Safety (Operation of fishing vessels) Exemption 2013 made on 21 June 2013 is repealed.

4 Definitions — the dictionary

A definition in the dictionary applies to each use of the word or expression in this instrument.

Note The dictionary is located at the end of the instrument.

5 Exemption

A person is exempt from the requirement to hold a certificate of competency that would be required for the specified operation if the person holds:

- (a) a certificate of competency as Coxswain Grade 1 NC under Part D of the NSCV; or
- (b) for an exemption for operation of a vessel mentioned in paragraph (b) of the definition of *specified operation* — a recreational marine licence.

Dictionary

(section 4)

Marine Safety (Domestic Commercial Vessel) National Law — see Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

specified operation means the operation, as master, of a domestic commercial vessel that is:

- (a) <15 m long as a fishing vessel in the fishing ship operational area as defined in Schedule 11 to the *Transport Operations (Marine Safety) Regulation 2004* (Qld) as in force on 30 June 2013; or
- (b) a tender boat operating as authorised under the *Fisheries Act 1994* (Qld) as a fishing vessel.

tender boat has the same meaning as in section 7 of Schedule 11 to the *Fisheries Regulation 2008* (Qld) as in force on 30 June 2013.
