



**Australian Government**  
**Australian Maritime Safety Authority**

AMSA EX27

**Marine Safety (Bait gathering) Exemption 2015**

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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*.

2 February 2015

**Garry Prosser**  
Acting Chief Executive Officer

**1 Name of instrument**

This instrument is *Marine Safety (Bait gathering) Exemption 2015*.

**2 Duration**

This instrument:

- (a) commences when it is made; and
- (b) ceases to have effect at the end of 31 July 2016.

**3 Repeal**

*Marine Safety (Bait gathering) Exemption 2013* is repealed.

**4 Definitions**

In this instrument:

***bait gathering*** means taking, under licence, a crab, eugary, worm or yabby by hand or by a hand-held implement.

***Moreton Bay Marine Park*** means the Moreton Bay Marine Park described in the *Marine Parks (Declaration) Regulation 2006* (Qld), other than the following zones mentioned in the *Marine Parks (Moreton Bay) Zoning Plan 2008* (Qld):

- (a) the marine national park zone;
- (b) for taking anything other than beachworms — the conservation park zone.

***national law*** means Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

*specified operation*, for a domestic commercial vessel, means the use of a vessel up to 7.5 m long for bait gathering.

## **5 Exemption**

- (1) A person is exempt from the requirement to hold a certificate of competency that would be required for the specified operation.
- (2) A vessel used in the specified operation is exempt from the requirement to have a certificate of operation for the specified operation.

## **6 Conditions**

- (1) For the person, the exemption is subject to the condition that the person may carry out the specified operation only in:
    - (a) the Moreton Bay Marine Park; or
    - (b) other smooth or partially smooth waters (within the meaning of the National Standard for Commercial Vessels) approved for the specified operation by the National Regulator.
  - (2) For the vessel, the exemption is subject to the following conditions:
    - (a) the vessel must comply with the national law other than to the extent that it is exempt;
    - (b) the master of the vessel must hold any licence that would be required to operate the vessel recreationally in the waters in which the specified operation is carried out;
    - (c) the vessel must not be used for recreational purposes while carrying out the specified operation.
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