



AMSA EX01

Marine Safety (Vessel identifiers) Exemption 2018

I, Michael Kinley, 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*.

16 August 2018

Michael Kinley
Chief Executive Officer

- 1 Name of instrument**
This instrument is *Marine Safety (Vessel identifiers) Exemption 2018*.
- 2 Duration**
This instrument commences when it is made and ceases to have effect at the end of 30 June 2020.
- 3 Repeal**
Marine Safety (Vessel identifiers) Exemption 2017 made on 22 June 2017 is repealed.
- 4 Definitions — dictionary**
The dictionary defines certain words and expressions for this exemption.
Note The dictionary is located at the end of the exemption.
- 5 Exemption from the requirement to have and display a unique identifier**
 - (1) Each vessel that is of a kind mentioned in Schedule 1 is exempt from the requirement to have and display a unique identifier.
 - (2) The exemption is subject to the conditions mentioned in Schedule 1 for the kind of vessel.

6 Exemption from the requirement to display a unique identifier

Each vessel that is of a kind mentioned in Schedule 2 is exempt from the requirement to display a unique identifier.

Schedule 1 Exemption from the requirement to have and display a unique identifier

(section 5)

Item	Kind of vessel	Conditions
1	Tender	Vessel must display, prominently and clearly: (a) the words 'Tender to' followed by the name or unique identifier of its parent vessel; or (b) the name of the owner of the vessel followed by the word 'tender'; or (c) the unique identifier of its parent vessel followed by '- T'.
2	A domestic commercial vessel registered under the <i>Shipping Registration Act 1981</i> and marked in accordance with that Act.	
3	A Class 4 human powered vessel that: (a) is propelled only by human powered devices; or (b) is a canoe or kayak that has human powered devices as its primary source of propulsion and has fitted: (i) a motor of ≤ 3.5 kW propulsion power; or (ii) an electric propulsion motor of ≤ 24 volts and a total battery capacity of ≤ 20 kWh.	The owner of a vessel mentioned in any of items 3 to 6 must: (a) have a certificate of operation that covers the vessel, the activity and the location of the vessel; and (b) keep an up to date list of the vessels covered by the certificate of operation.
4	A Class 2 human powered vessel that: (a) is operated by a tour leader; and (b) does not carry passengers; and (c) either:	

Item	Kind of vessel	Conditions
		<ul style="list-style-type: none"> (i) is propelled only by human powered devices; or (ii) is a canoe or kayak that has human powered devices as its primary source of propulsion and has fitted: <ul style="list-style-type: none"> (A) a motor of ≤ 3.5 kW propulsion power; or (B) an electric propulsion motor of ≤ 24 volts and total battery capacity of ≤ 20 kWh.
5	A Class 4 sailing vessel that:	<ul style="list-style-type: none"> (a) is < 7.5 m long; and (b) one of the following applies: <ul style="list-style-type: none"> (i) the vessel has no auxiliary engine; (ii) the vessel has an auxiliary engine of ≤ 3.5 kW propulsion power; (iii) the vessel has an auxiliary electric propulsion motor of ≤ 24 volts and a total battery capacity of ≤ 20 kWh.
6	A Class 2 sailing vessel that:	<ul style="list-style-type: none"> (a) is operated by a tour leader; and (b) does not carry passengers; and (c) is < 7.5 m long; and: (d) one of the following applies: <ul style="list-style-type: none"> (i) the vessel has no auxiliary engine; (ii) the vessel has an auxiliary engine of ≤ 3.5 kW propulsion power; (iii) the vessel has an auxiliary electric propulsion motor of ≤ 24 volts and a total battery capacity of ≤ 20 kWh.

Schedule 2 Exemption from the requirement to display a unique identifier

(section 6)

Item	Kind of vessel
1	<p>A human powered vessel, other than a Class 1 vessel, that:</p> <ul style="list-style-type: none"> (a) is propelled only by human powered devices; or (b) is a canoe or kayak that has human powered devices as its primary source of propulsion and has fitted:

Item	Kind of vessel
	<ul style="list-style-type: none"> (i) a motor of ≤ 3.5 kW propulsion power; or (ii) an electric propulsion motor of ≤ 24 volts and a total battery capacity of ≤ 20 kWh. <p><i>Note</i> A dragon boat is a human powered vessel.</p>
2	<p>A sailing vessel, other than a Class 1 vessel, that:</p> <ul style="list-style-type: none"> (a) is < 7.5 m long; and (b) one of the following applies: <ul style="list-style-type: none"> (i) the vessel has no auxiliary engine; (ii) the vessel has an auxiliary engine of ≤ 3.5 kW propulsion power; (iii) the vessel has an auxiliary electric propulsion motor of ≤ 24 volts and a total battery capacity of ≤ 20 kWh.
3	A personal watercraft used in an aerial freestyle device operation.

Dictionary

(section 4)

aerial freestyle device means a device that:

- (a) is connected to a PWC that directs the water output of the PWC under pressure through nozzles to lift a person on the device above the surface of the water or to allow a person on the device to dive underwater; and
- (b) is fitted with footholds or straps to secure the person to the device.

aerial freestyle device operation means an operation in which:

- (a) a PWC is controlled by an instructor and creates thrust to propel an aerial freestyle device through and out of the water; and
- (b) the person on the aerial freestyle device can control flight direction, including the direction of the PWC.

Class 2 vessel has the meaning given by NSCV Part B.

Class 4 vessel has the meaning given by NSCV Part B.

human powered devices includes oars, paddles and pedal systems.

personal watercraft (or ***PWC***) has the meaning given to ***personal watercraft*** in NSCV Part G.

tender has the same meaning as in NSCV Part B.

tour leader means a person on a Class 2 vessel that is overseeing a tour made up of more than 1 Class 4 vessels being operated by 1 or more hirers.