



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

AMSA EX28

**Marine safety (NSCV Parts E and F) Exemption 2017 (No. 2)**

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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*.

23 November 2017

**Gary Prosser**

Acting Chief Executive Officer

**1 Name of instrument**

This instrument is *Marine safety (NSCV Parts E and F) Exemption 2017 (No. 2)*.

**2 Duration**

This instrument:

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

**3 Definitions**

In this instrument:

***crewing requirements***, for a vessel, means requirements for:

- (a) the number of crew required to be on board while the vessel is being operated; and
- (b) the qualifications of the master and crew.

***existing vessel*** — see section 7 of Marine Order 504.

***Marine Order 504*** means *Marine Order 504 (Certificates of operation) 2013*.

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

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#### **4 Exemption — application for certificate of operation**

- (1) This section applies to a person who applies, under Marine Order 504, for a certificate of operation for an existing vessel.
- (2) The person is exempt from compliance with paragraph 10(c) of Marine Order 504 if:
  - (a) for a Class 1, 2 or 3 vessel — the vessel operates under a safety management system that demonstrates compliance with NSCV Part E as in force either on 30 June 2013 or on 1 July 2013; or
  - (b) for a Class 4 vessel — the vessel operates under a safety management system that demonstrates compliance with NSCV Part F.

#### **5 Exemption — extension of date for compliance**

An existing vessel that is a Class 1 vessel is exempt from the requirement to comply with the condition of a certificate of operation mentioned in paragraph 11(1)(e) of Marine Order 504.

#### **6 Conditions**

For section 5, the vessel must comply with:

- (a) NSCV Part E, other than crewing requirements; and
  - (b) either the crewing requirements in NSCV Part E or the crewing requirements that applied to the vessel on 30 June 2013.
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