



AMSA EX2013/22

## **Marine Safety (Bareboats) Exemption 2013**

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I, Graham Peachey, 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*.

21 June 2013

**Graham Peachey**  
Chief Executive Officer

### **1 Name of instrument**

This instrument is *Marine Safety (Bareboats) Exemption 2013*.

### **2 Duration**

This instrument:

- (a) commences on 1 July 2013; and
- (b) ceases to have effect at the end of 30 June 2018.

### **3 Definitions**

In this instrument:

***bareboat*** means a Class 4D or 4C vessel < 15 m long used as a hire and drive vessel.

***bareboat operation*** means any of the following activities in a bareboat operational area:

- (a) giving a briefing in accordance with Chapter 8 of Section 2 of Part F of the NSCV;
- (b) acting as a guide for the hirer of a bareboat in accordance with Chapter 8 of Section 2 of Part F of the NSCV;
- (c) operating a service vessel for a bareboat, owned by the owner of the bareboat;
- (d) delivering a bareboat in a bareboat operational area.

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***bareboat operational area*** means an area to which bareboat operations are limited by the marine safety agency of a State or the Northern Territory.

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

*Note* **National Regulator** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 6.

#### **4 Exemption**

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

- (a) the person holds a Coxswain Grade 1 NC certificate of competency; and
- (b) the National Regulator approves in writing the bareboat operation.

*Note 1* An application for approval can be part of the application for a certificate of operation or a separate application. For the form of application and how it will be processed, contact the National Regulator.

*Note 2* A fee may be charged — see s 9 of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

#### **5 Conditions**

- (1) The vessel being used for the bareboat operation must not leave the area for which the bareboat operation is approved.
- (2) The National Regulator may make the approval subject to further conditions that take account of the local conditions of the waters in which the vessel is to operate.