



AMSA EX/07

Marine safety (temporary operations) Exemption 2014

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*.

16 May 2014

Graham Peachey
Chief Executive Officer

1 Name of instrument

This instrument is *Marine safety (temporary operations) Exemption 2014*.

2 Duration

This instrument:

- (a) commences when it is made; and
- (b) ceases to have effect at the end of 30 June 2018.

3 Repeal

This instrument repeals *Marine Safety (Restricted use flags) Exemption 2013*.

4 Definition

In this instrument:

specified operation, for a domestic commercial vessel, means an operation using the vessel for which the owner is required to, but does not, have a certificate of survey or a certificate of operation.

5 Exemption

- (1) A vessel is exempt from the requirement to have a certificate of survey or certificate of operation for a period if the National Regulator:
 - (a) is satisfied that the certificate will be issued; and
 - (b) is satisfied that the vessel may go to sea without danger to the vessel or its passengers or crew; and
 - (c) approves in writing the specified operation for the period.

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- (2) Before giving approval, the National Regulator may require an inspection and report on the condition of the vessel.

Note 1 The National Regulator may grant an exemption, or impose conditions on an exemption, only if satisfied that the exemption and its conditions will not jeopardise the safety of the vessel or a person on board the vessel — see subsection 143(6) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

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

6 Conditions

- (1) The period must not be more than 90 days.
- (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.
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