



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

AMSA EX2013/29

**Marine safety (recording activities) Exemption 2013**

---

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*.

2 September 2013

**Graham Peachey**  
Chief Executive Officer

**1 Name of instrument**

This instrument is *Marine safety (recording activities) Exemption 2013*.

**2 Duration**

This instrument:

- (a) commences when it is made; and
- (b) ceases to have effect at the end of 30 June 2016.

**3 Application**

This instrument applies to an operation:

- (a) that was being undertaken within the year ending on 30 June 2013; and
- (b) of a vessel that:
  - (i) is less than 7.5 m long; and
  - (ii) would be a domestic commercial vessel only because a person uses the vessel, or allows the vessel to be used, to produce a record of sporting or recreational activities associated with a vessel.

*Examples of activities*

Fishing, diving, swimming.

**4 Exemption**

If the National Regulator gives written approval for the operation:

- (a) the master of the vessel is exempt until 1 July 2014 from the requirement to hold a certificate of competency that would be required for the specified operation; and

- 
- (b) the vessel used in the operation is exempt from the requirement to have:
    - (i) if the operation is in Class D or E waters — a certificate of survey; and
    - (ii) until 1 February 2014 — a certificate of operation.

*Note 1* **National Regulator** is defined in the national law — see section 6.

*Note 2* 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 3* A fee may be charged — see section 9 of the national law.

## **5 Conditions**

- (1) The master of the vessel must hold:
    - (a) any licence that would be required to operate the vessel recreationally in the waters in which the operation is carried out; or
    - (b) a certificate of competency that entitles the person to be the master of the vessel.
  - (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.
-