



Australian Government
Australian Maritime Safety Authority

AMSA EX17

**Marine Safety (Great Barrier Reef Region and Torres Strait zone)
Exemption 2020**

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*.

29 June 2020

Michael Kinley
Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Great Barrier Reef Region and Torres Strait zone) Exemption 2020*.

2 Duration

This instrument commences on 1 July 2020 and ceases to have effect at the end of 30 June 2025.

3 Definitions

In this instrument:

Class 1 vessel means a vessel that has the vessel use category 1 under section 2.1 of NSCV Part B.

Class 2 vessel means a vessel that has the vessel use category 2 under section 2.1 of NSCV Part B.

Class 3 vessel means a vessel that has the vessel use category 3 under section 2.1 of NSCV Part B.

Great Barrier Reef Region has the same meaning as in the *Great Barrier Reef Marine Park Act 1975*.

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.

NSCV — see section 6 of the national law, meaning of **National Standard for Commercial Vessels**.

NSCV Part B means *Part B — General requirements* of the NSCV.

NSCV Part D means *Part D — Crew competencies* of the NSCV.

pontoon means a barge that:

- (a) is not powered; and
- (b) is permanently anchored; and
- (c) if it does not have moored to it a vessel surveyed to service category Class 1 capable of carrying everyone on the barge — is equipped with the safety equipment that would be required for a Class 1 vessel operating lawfully in the area where the barge is anchored.

specified operation means performing duties of a master or crew member for a vessel in any of the following areas:

- (a) for a domestic commercial vessel surveyed to service category Class 1C or 2C or operating as a fishing vessel and surveyed to service category Class 3C — the Great Barrier Reef Region and the Torres Strait zone;
- (b) for a domestic commercial vessel surveyed to service category Class 1D, 1E, 2D or 2E that is permanently based at a pontoon surveyed to service category Class 1E anchored within the Great Barrier Reef Region or the Torres Strait zone — the area in which the vessel is in sight of, and is capable of communicating with, the pontoon;

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- (c) for a domestic commercial vessel that is a pontoon surveyed to service category Class 1E — the Great Barrier Reef Region;
 - (d) for a domestic commercial vessel surveyed to service category Class 1D, 1E, 2D or 2E that is operating from a Queensland island — the area in which the vessel is in sight of, and is capable of communicating with, the island.

Torres Strait zone means the area shown in Schedule 1.

4 Exemption

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

- (a) for a person who is to perform the duties of master or chief mate of a domestic commercial vessel that is ≥ 35 m long and < 80 m long in the Great Barrier Reef Region or Torres Strait zone — a Master < 35 m NC certificate of competency; or
- (b) for a person who is to perform the duties of chief mate of a domestic commercial vessel that is ≥ 35 m long and < 80 m long in the Great Barrier Reef Region or Torres Strait zone — at least a Master < 24 m NC certificate of competency; or
- (c) for a person who is to perform the duties of master of a vessel mentioned in paragraph (b) or (d) of the definition of **specified operation** — a Coxswain certificate mentioned in NSCV Part D.