



Australian Government
Australian Maritime Safety Authority

AMSA ADMIN 2017/16

Marine Orders Delegation 2017 (No. 2)

I, Gary Prosser, Acting Chief Executive Officer of the Australian Maritime Safety Authority, under section 58 of the *Australian Maritime Safety Authority Act 1990*:

- (a) revoke *Marine Orders Delegation 2017 (No. 1)* made on 19 April 2017; and
- (b) delegate to each person holding or performing the duties of a position in AMSA mentioned in an item of Schedule 1 each power of AMSA under a Marine Order (including orders made under the *Navigation Act 1912* having effect under subsection 342(2) of the *Navigation Act 2012*) mentioned in the item for the position.

This instrument commences when it is made.

27 November 2017

Gary Prosser
Acting Chief Executive Officer

Schedule 1 Marine Orders

In this Schedule:

DCEO means the Deputy Chief Executive Officer.

Examiner means an AMSA employee appointed by AMSA to conduct examinations under *Marine Order 70 (Seafarer certification) 2014*.

GMO means the General Manager Operations.

GMR means the General Manager Response.

GMS means the General Manager Standards.

HOSC means the Head of Seafarer Certification, Operations.

MCP means the Manager Coastal Pilotage, Operations.

MES means the Manager Environment Standards, Standards.

MSCS means the Manager Seafarer Certification Service, Operations.

MSIR means the Manager Ship Inspection and Registration, Operations.

MSS means the Manager Systems Safety, Standards.

MVO means the Manager Vessel Operations, Operations.

MVS means the Manager Vessel Standards, Standards.

NOM means the National Operations Manager — Central, Operations or the National Operations Manager — Regions, Operations.

PAVTS means the Principal Advisor Vessel Traffic Services, Standards.

PAEQ means the Principal Advisor Engineering Qualifications, Operations.

PANQ means the Principal Advisor Nautical Qualifications, Operations or Principal Advisor Engineering Qualifications, Operations.

Note 1 Under subsection 49(4) of the *Australian Maritime Safety Authority Act 1990*, the Chief Executive is able to exercise all the powers and functions of the Authority.

Note 2 Under subsection 58(1) of the *Australian Maritime Safety Authority Act 1990*, AMSA may, by written instrument, delegate to a person all or any of its powers under that Act or any other Act.

Note 3 The description of powers in this Schedule should be used as a guide only. The relevant provision should be consulted for an exact specification of the power.

Item	Provision	Description of power	Position
<p>A Marine Order that provides for a person to apply in accordance with the application process mentioned in <i>Marine Order 1 (Administration) 2013</i></p> <p><i>Note 1</i> Some Marine Orders currently identify the decision-maker for an application as the holder of a position in AMSA. In those cases, the decision-maker is as shown in the Marine Order and this delegation does not apply. Marine Orders are being progressively changed to identify AMSA as the decision-maker. If AMSA is identified as the decision-maker, this delegation applies.</p> <p><i>Note 2</i> The position of Manager, Ship Operations and Qualifications is currently identified in Marine Order 9 as a decision-maker, but this position has been replaced by the positions of Manager Ship Operations, Operations and Manager Seafarer Certification Service, Operations.</p> <p><i>Note 3</i> A reference in a Marine Order to <i>Marine Order 1 (Administration) 2011</i> is taken to be a reference to <i>Marine Order 1 (Administration) 2013</i> — see s 39(2) of <i>Marine Order 1 (Administration) 2013</i>.</p>			
1	Each provision of a Marine Order that provides for a person to apply in accordance with the application process mentioned in <i>Marine Order 1 (Administration) 2013</i>	Decide the application	MSIR or NOM, except in the cases mentioned in this Schedule
<p><i>Example</i></p> <p>Section 9 of <i>Marine Order 97 (Marine pollution prevention — air pollution) 2013</i> provides that a person may apply, in accordance with the application process set out in <i>Marine Order 1 (Administration) 2013</i>, for approval for an equivalent (in accordance with regulation 4 of Annex VI to the International Convention for the Prevention of Pollution from Ships) to be used.</p> <p><i>Marine Order 1 (Administration) 2013</i></p>			
2	s 17(2)	Review a reviewable decision	<p>GMS, GMO or GMR — if the decision is made by a person not occupying the position of GMS, GMO or GMR</p> <p>DCEO — if the decision is made by a person occupying the position of GMS, GMO or GMR</p>

Item	Provision	Description of power	Position
<i>Marine Order 9 (Health — medical fitness) 2010</i>			
3	s 8A.1	Appoint a person as a medical inspector	MSCS NOM
<i>Marine Order 11 (Living and working conditions on vessels) 2015</i>			
4	s 8(2)	Approve an equivalent	MSIR MVO NOM
5	s 16(2)	Register a service	MVO NOM
6	s 18	Suspend or revoke registration of service	MVO NOM
7	s 35	Repatriate a seafarer	GMO MVO NOM
<i>Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2016</i>			
8	cl 1.6(3) of Schedule 1	Approve sounding tubes	MSIR NOM
<i>Marine Order 16 (Load lines) 2014</i>			
9	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
<i>Note</i> Most of the powers of AMSA under this Order are powers of AMSA as an issuing body — see definition of <i>issuing body</i> in s 14(1) of the <i>Navigation Act 2012</i> .			
<i>Marine Order 19 (Tonnage) 2014</i>			
10	s 7(2)	Determine tonnage	MSIR NOM
<i>Marine Order 21 (Safety and emergency arrangements) 2016</i>			
11	s 10(2)	Determine that a vessel must carry master and crew who hold specified certificates of competency	MVO NOM
12	s 14(2)	Exempt vessels on voyages of short duration from	MVO NOM

Item	Provision	Description of power	Position
		requirements for checking and testing of steering gear	
Marine Order 27 (Safety of navigation and radio equipment) 2016			
13	s 16(6)	Agree to master proceeding to port for navigational equipment repairs	MSIR NOM
14	s 20(5)	Approve training course	HOSC MSCS NOM
Marine Order 28 (Operations standards and procedures) 2015			
15	s 6(2)	Approve an exemption	MVO NOM
Marine Order 31 (Vessel surveys and certification) 2015			
16	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
<i>Note Powers of AMSA under this Order include powers of AMSA as an issuing body — see definition of <i>issuing body</i> in s 14(1) of the Navigation Act 2012.</i>			
Marine Order 34 (Solid bulk cargoes) 2016			
17	s 9	Approve arrangement for transport of solid bulk cargo for the IMSBC Code	MSIR NOM
Marine Order 35 (Additional safety measures for bulk carriers) 2014			
18	s 18(2)	Issue statement for carrying dry cargoes in bulk	MSIR NOM
Marine Order 42 (Carriage, stowage and securing of cargoes and containers) 2016			
19	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
Marine Order 49 (High-speed craft) 2015			
20	Each provision that sets out a power that	See provision	MSIR NOM

Item	Provision	Description of power	Position
	may be exercised by AMSA		
	Marine Order 52 (Yachts and training vessels) 2016		
21	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
	<i>Note</i> Powers of AMSA under this Order include powers of AMSA as an issuing body — see definition of <i>issuing body</i> in s 14(1) of the <i>Navigation Act 2012</i> .		
	Marine Order 54 (Coastal pilotage) 2014		
22	Each provision that sets out a power that may be exercised by AMSA	See provision	GMO
23	Each provision that sets out a power that may be exercised by AMSA, other than sections 65 and 83	See provision	MCP NOM
	Marine Order 58 (Safe management of vessels) 2015		
24	Each provision that sets out a power that may be exercised by AMSA	See provision	MVO NOM
	Marine Order 64 (Vessel traffic services) 2013		
25	Each provision that sets out a power that may be exercised by AMSA	See provision	MSS MVS
26	Each provision that sets out a power that may be exercised by AMSA, other than sections 17 and 29	See provision	PAVTS
	Marine Order 70 (Seafarer certification) 2014		
27	Each provision that sets out a power that may be exercised by AMSA, other than section 4, definition of <i>examiner</i> and subsections 48(1)		Examiner GMO HOSC MSCS NOM

Item	Provision	Description of power	Position
	and (2), 49(1), 53(1), 55(1) and 60(2)		PANQ
28	s 4, definition of <i>examiner</i>	Appoint a suitably qualified AMSA employee as an examiner	GMO HOSC MSCS NOM
29	s 48(1)	Give person regulatory action notice	GMO HOSC MSCS NOM
30	s 48(2)	Take regulatory action against person holding seafarer certificate or certificate of recognition	GMO HOSC MSCS NOM
31	s 49(1)	Suspend seafarer certificate by giving person immediate suspension notice	GMO HOSC MSCS NOM
32	s 53(1)	Decide an application for approval or renewal of approval to provide seafarer training course	GMO HOSC MSCS NOM
33	s 55(1)	Cancel or suspend approval to provide seafarer training course	GMO HOSC MSCS NOM
34	s 60(2)	Conduct internal review of decision mentioned in Schedule 1 of <i>Marine Order 70 (Seafarer certification) 2014</i>	HOSC if the HOSC did not make the initial decision MSCS if the Manager did not make the initial decision GMO if the General Manager did not make the initial decision NOM if the NOM did not make the initial decision

Item	Provision	Description of power	Position
<i>Marine Order 71 (Masters and deck officers) 2014</i>			
35	Each provision that sets out a power that may be exercised by AMSA	See provision	HOSC MSCS NOM PANQ
<i>Marine Order 72 (Engineer officers) 2014</i>			
36	Each provision that sets out a power that may be exercised by AMSA	See provision	HOSC PAEQ NOM
<i>Marine Order 73 (Ratings) 2014</i>			
37	Each provision that sets out a power that may be exercised by AMSA	See provision	HOSC MSCS NOM PANQ
<i>Marine Order 74 (Master and deck officers — yachts) 2015</i>			
38	Each provision that sets out a power that may be exercised by AMSA	See provision	HOSC MSCS NOM PANQ
<i>Marine Order 91 (Marine pollution prevention — oil) 2014</i>			
39	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
<i>Note</i> Some of the powers of AMSA under this Order are powers of AMSA as an issuing body — see definition of <i>issuing body</i> in s 14(1) of the <i>Navigation Act 2012</i> .			
<i>Marine Order 93 (Marine pollution prevention — noxious liquid substances) 2014</i>			
40	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
<i>Note</i> The power of AMSA under s 15 of this Order is a power of AMSA as an issuing body — see definition of <i>issuing body</i> in s 14(1) of the <i>Navigation Act 2012</i> .			

Item	Provision	Description of power	Position
<i>Marine Order 96 (Marine pollution prevention — sewage) 2013</i>			
41	Each provision that sets out a power that may be exercised by AMSA	See provision	MSIR NOM
<i>Marine Order 97 (Marine pollution prevention — air pollution) 2013</i>			
42	s 9(3)	Give a waiver in accordance with reg 19 of Annex VI of SOLAS from a requirement of the Order	MSIR NOM
43	s 37(1)(b)	Approve an electronic recording system	MSIR MES NOM