



Australian Government
Australian Maritime Safety Authority

AMSA EX29

Marine safety (Recording activities) Exemption 2016

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*.

22 June 2016

Michael Kinley
Chief Executive Officer

1 Name of instrument

This instrument is *Marine safety (Recording activities) Exemption 2016*

2 Duration

This instrument:

- (a) commences on 1 July 2016; and
- (b) ceases to have effect at the end of 30 June 2019.

3 Definitions

In this instrument:

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 Application

This instrument applies to a vessel:

- (a) that undertakes an operation previously undertaken within the year ending on 30 June 2013; and
- (b) that:
 - (i) is less than 7.5 m long; and

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- (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.

5 Exemption

For sections 43 and 44 of the *Marine Safety (Domestic Commercial Vessel) National Law* the vessel is exempt from the requirement to have a certificate of survey if:

- (a) the National Regulator gives written approval for the operation; and
- (b) the operation is in Class D or E waters.

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 section 9 of the national law.

6 Conditions

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.
