



Consultation Feedback Report

Marine Order 503 (certificates of survey - national law) 2017

Outline

The Australian Maritime Safety Authority (AMSA) has amended Marine Order 503 (certificates of survey - national law) 2013 to:

- provide an alternative, flexible set of standards for 'existing vessels' that trigger to become a 'transitional vessel' (rather than automatically becoming a 'new vessel')
- provide greater clarity around when certain changes in relation to an 'existing vessel' will result in it 'triggering' and becoming a 'transitional vessel'; and
- make other technical changes to improve the overall workability and readability of the marine order.

The revised Marine Order 503, *Marine Order 503 (certificates of survey – national law) 2017* (Marine Order 503), has now been made and is available on the [AMSA website](#). The new Marine Order 503 will commence on **1 January 2018**.

AMSA consider these changes will improve safety standards as there is greater clarity for industry and surveyors as to when a vessel is no longer an existing vessel; and allows for owners of domestic commercial vessel to progressively 'upgrade' their vessels to the more contemporary safety standards, thereby improving safety while easing the burden for owners of domestic commercial vessels.

Consultation Feedback

AMSA provided a copy of the proposed changes to Marine Order 503 and explanatory material outlining the key changes to Marine Order 503 (**Appendix B**) was provided to AMSA's domestic commercial vessel industry and fishery industry advisory committees and to members of the Maritime Agencies Forum for consultation for four weeks. A copy was also released for broader public consultation on 15 September 2017 for a further four week consultation period.

AMSA received 24 submissions in response to the proposed changes to Marine Order 503 and in response the seven questions outlined in the consultation explanatory material. These comments and AMSA's responses to each comment is set out in **Table 1** however a synopsis of the consultation feedback is set out below.

Question 1	Do you find it easy to understand the technical specifications in amended MO503?
Feedback summary	Most submitters stated that they found the technical specifications easy to understand. However, one submitter stated that the intent and operation of the changes was still unclear while two submitters stated that the provision relating

	<p>to equivalent means of compliance (EMOC) could be clearer, as could the definition of 'existing vessel'.</p> <p>A number of submitters did suggest that guidance should be prepared to supplement the revised marine order to further clarify the standards. This guidance should also include the flow charts provided for consultation (or included in the marine order) and that the 'MyBoat' application should be extended to cover standards for 'transitional vessels'.</p>
AMSA's Response	<p>AMSA has made changes to Marine Order 503 in response to this feedback. The criteria for the approval of an EMOC has been clarified, as has the definition of 'existing vessel'. The particulars of these changes are explained in more detail below.</p> <p>AMSA will shortly be publishing tailored guidance on the changes to Marine Order 503. This includes updating the Certificates of Survey (AMSA72) and publishing two new flow charts, in addition to new technical instructions to accredited marine surveyors. These publications will be available on the AMSA website once finalised.</p> <p>AMSA will also seek to extend MyBoat to cover standards for transitional vessels should the opportunity to extend the application be available to AMSA.</p>

Question 2	Do you think the technical specifications in amended MO503 are appropriate in relation to 'existing vessels', 'new vessels' and 'transitional vessels'?					
Feedback summary	<p>A firm number of submitters states that the technical specifications provided an appropriate balance. On the contrary, one submitter stated that the requirements in NSCV Part C1 in the arrangement, accommodation and personal safety item in schedule 2 that a transitional vessel must meet should be reduced. Another submitter was of the view that schedule 1 of Marine Order 503 had some 'ridiculous trigger points'. At least three submitters also commented that the trigger for modifications, replacement, installation etc in item 8 of schedule 1 may be too onerous and/or is too rigid. Examples of replacing a light bulb or fire extinguisher was provided to support this view.</p>					
AMSA's Response	<p>AMSA has made changes to item 8 of schedule 1 in response to this feedback. AMSA has also made changes to the arrangement, accommodation and personal safety item in schedule 2, which are explained below in the feedback received in response to question 5. A 'before and after' snapshot of the changes made to item 8 of schedule 1 is as follows.</p> <table border="1"> <thead> <tr> <th>Consultation draft</th> <th>Final Marine Order 503</th> </tr> </thead> <tbody> <tr> <td> <p>8 Other than a like for like replacement of equipment or fittings, there is a change to any of the following for the vessel:</p> <p>(a) fire system or firefighting equipment; (b) stern gear; (c) gas system; (d) electrical power, lighting and generators; (e) bulwark or guardrails; (f) anchoring or mooring arrangements.</p> </td> <td> <p>8 Other than a like for like replacement of equipment or fittings, there is a change to any of the following for the vessel:</p> <p>(a) fixed fire system or firefighting equipment; (b) stern gear; (c) gas system; and (d) electrical power, lighting and generators. (e) bulwark or guardrails; (f) anchoring or mooring arrangements.</p> </td> </tr> </tbody> </table>		Consultation draft	Final Marine Order 503	<p>8 Other than a like for like replacement of equipment or fittings, there is a change to any of the following for the vessel:</p> <p>(a) fire system or firefighting equipment; (b) stern gear; (c) gas system; (d) electrical power, lighting and generators; (e) bulwark or guardrails; (f) anchoring or mooring arrangements.</p>	<p>8 Other than a like for like replacement of equipment or fittings, there is a change to any of the following for the vessel:</p> <p>(a) fixed fire system or firefighting equipment; (b) stern gear; (c) gas system; and (d) electrical power, lighting and generators. (e) bulwark or guardrails; (f) anchoring or mooring arrangements.</p>
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Question 3	Do you think there should be more flexibility or less flexibility in relation to the standards that apply to DCVs through amended MO503?
Feedback summary	Similar to feedback received in response to question 2, a number of submitters noted that some of the trigger points—particularly where the change to vessel is ‘minor’—should be relaxed and that more flexibility should be provided in the order for the trigger points. However one submitter stated that <i>‘less flexibility will drive the standards of the vessels higher and make it necessary for companies and vessels to invest and upgrade. In turn this should raise the level of safety and reliability of vessels which is a desirable outcome.’</i> Two submitters stated that more flexibility was not the issue and that ensuring ‘absolute clarity about what standard is to be used’ was more important.
AMSA’s Response	Some changes have been made to schedule 2 to ensure that the technical specifications are appropriate. These are explained below in the feedback received in response to question 5.

Question 4	Do you like the presentation of the proposed amended MO503? Is it easy to read?
Feedback summary	Just over half of the submitters stated that they found to order easy to read and understand, though acknowledging that the document was still a ‘legal document’. Some submitters stated that the flow charts were particularly useful and should be incorporated into the marine order. Conversely, six submitters stated that the number of cross references to other standards were ‘still too many for [the marine order] to be easy to read’, while three submitters suggested that the definitions should be located at the front of the order for consistency with other marine orders. One submitter stated that they were, after reading the marine order, non-the-wiser as to how the proposed transitional arrangements detailed in Marine Order 503 will operate and potentially impact operators in the respective jurisdiction.
AMSA’s Response	No major changes were made to Marine Order 503 in response to this feedback. AMSA will ensure that clear and user friendly guidance is published to support the changes. AMSA also notes that it is necessary to include the specific references to the specific clauses—particularly in schedule 2—in the marine order for legal accuracy and to ensure that only those clauses in the respective NSCV Part are ‘picked up’. Without this level of specificity, the entire NSCV Part would need to be complied with (rather than the specific clause or Sub - section) which is not the intent.

Question 5	Do you have any specific suggestions to improve MO503 from a technical and/or presentation perspective?		
Feedback summary	Four submitters provided a number of suggestions to improve the technical specifications in the schedules. These are listed in the Table 1 below.		
AMSA’s Response	AMSA has made changes to item 1 of table 1 of schedule 2 (arrangement, accommodation and personal safety) in response to this feedback. A ‘before’ and ‘after’ snapshot of the changes made to this clause is as follows: <table border="1" data-bbox="384 1973 1434 2022" style="margin-left: 40px;"> <tr> <td style="text-align: center;">Consultation draft</td> <td style="text-align: center;">Final Marine Order 503</td> </tr> </table>	Consultation draft	Final Marine Order 503
Consultation draft	Final Marine Order 503		

	<p>(a) NSCV Part C1 if the change results in:</p> <ul style="list-style-type: none"> (i) new or additional berths installed; or (ii) overnight operations commencing; and <p>(b) in any other case — the following:</p> <ul style="list-style-type: none"> (i) Chapters 1, 3 and 6 of NSCV Part C1; (ii) the USL Code 2008, Section 5 Sub-Section E, other than clauses E.8 to E.11; (iii) the USL Code 2008, Section 6; (iv) for accommodation ladders, gangways and safe means of access — the USL Code 2008, Section 13, Part 3 and Appendix F of Part 4 <p><i>Note for subparagraph (b)(iv) For Appendix F of Part 4, Marine Order 12 has replaced Marine Orders Part 23.</i></p>	<p>(a) if a change mentioned in clause 1, 5 or 7 of Schedule 1 has occurred — the following:</p> <ul style="list-style-type: none"> (i) Chapters 1, 3 and 6 of NSCV Part C1; (ii) the USL Code 2008, Section 5 Sub-Section E (other than clauses E.8 to E.11) ; (iii) the USL Code 2008, Section 6; (iv) for accommodation ladders, gangways and safe means of access — the USL Code 2008, Section 13, Part 3 and Appendix F of Part 4; and <p>(b) NSCV Part C1 if the change results in:</p> <ul style="list-style-type: none"> (i) new or additional berths installed; or (ii) new types of overnight operations commencing; or (iii) Class 1 operations commencing; or (iv) pilot operations commencing; and (c) in any other case — the following: (i) Chapters 1 and 3 of NSCV Part C1; (ii) the USL Code 2008, Section 5 Sub-Section E (other than clauses E.8 to E.11); (iii) the USL Code 2008, Section 6; (iv) for accommodation ladders, gangways and safe means of access — the USL Code 2008, Section 13, Part 3 and Appendix F of Part 4 <p><i>Note for subparagraphs (a)(iv) and (c)(iv) For Appendix F of Part 4 — Marine Order 12 has replaced Marine Orders Part 23.</i></p>
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Question 6	Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503?
Feedback summary	As noted above, a number of submitters suggested that guidance should be developed to assist smaller operators understand the schedules/order; and also for the flow charts to be published.
AMSA's Response	<p>AMSA will shortly be publishing tailored guidance on the changes to Marine Order 503.</p> <p>This includes updating the Certificates of Survey (AMSA72) and publishing two new flow charts, in addition to new technical instructions to accredited marine surveyors. These publications will be available on the AMSA website once finalised.</p>

Question 7(1)	The extent to which Class Rules can be applied to a DCV, as per section 4(5).
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<p>Feedback summary</p>	<p>A high number of submitters stated that areas that Class can cover should be extended to cover more, if not all, areas. Some submitters suggested it should cover at least stability and subdivision. If machinery aspects are covered by Class then associated electrical should be also be covered. One submitter suggested that section 3(2)(b) (who can perform electrical surveys) does not allow RO to conduct electrical surveys other than plan approval, and it should.</p> <p>However, another submitter stated that <i>‘the use of Class Rules, while adding flexibility, creates complexity. If a vessel leaves Class what rules apply? What records available to other surveyors showing which rules were used? Creates a commercial advantage for Class Societies which can use discretion in the application of their own rules, and have a range of rules available e.g. rules for yachts with smaller shaft dia.’</i></p> <p>Another two submitters raised concerns with ROs/Class being able to survey, stating that <i>‘ROs should be required to prove that their rules meet the requirements of the NSCV and not be given automatic licence to apply their rules without scrutiny. By making sure the RO’s rules are in line with NSCV, then any vessels surveyed by a non RO surveyor in the future will not need to be re-assessed by that surveyor if something on the vessel is not correct’.</i></p> <p>Similarly, a high number of submitters that commented in response to question 7 states that international conventions such as SOLAS (certified by an RO) should be accepted for fire protection and safety equipment.</p>
<p>AMSA’s Response</p>	<p>After careful consideration, AMSA has decided that, at this point in time, it will not be progressing with any significant extension to the areas that can be surveyed by and meet the standards set by Class, other than to include ‘anchoring equipment’. Anchoring equipment has been added to the areas for Recognised Organisation applying class rules as it is an item generally covered by a Recognised Organisation under main class certification. Similarly, AMSA has decided not to make any changes to ‘recognise’ vessels that are certified as meeting international conventions, at this point in time.</p> <p>AMSA will however use the feedback received through this process to inform necessary changes with respect to Class and also compliance with international conventions when Marine Order 503 is next amended.</p>

<p>Question 7(2)</p>	<p>The extent to which Schedule 2 Table 1 clause (a)(i) could benefit from a ‘qualifier’.</p>
<p>Feedback summary</p>	<p>A high number of submitters stated that clause (a)(i) should be qualified. One submitter stated ‘the application of C1 Ch 6 bulwarks should not be applied for minor pax increases. Smaller vessels also need protection, not just large, e.g. 2C increases from 6-8 pax shouldn't need new guard rail height’.</p> <p>Other submitters said that:</p> <ul style="list-style-type: none"> • <i>it should only apply to the new berths not the whole vessel;</i> • <i>a combination of percentage and number should be used;</i> • <i>applies to vessel of certain size after an increase of certain percentage/number;</i> • <i>percentage is probably the easiest and fairest way to achieve this;</i> • <i>the requirements for berthed passengers; toilets, showers, floor space per passenger etc. would need to be maintained. It would be difficult to see how a vessel designed to accommodate a defined number of passengers in</i>

	<i>berths could increase that number without compromising on any of these requirements.</i>
AMSA's Response	AMSA has decided to retain the clause as is insofar as it relates to increases in passengers, additional berths, class 1 operations etc. AMSA considers that the standards set out in this clause are practicable for the vast majority of instances. AMSA also notes the power to grant a specific exemption provided under section 143 of the National Law. In circumstances where it may not be practicable to apply the standards in that clause, an owner of transitional vessel may apply to the National Regulator for a specific exemption.

Question 7(3)	Whether, for Schedule 2, Table 1, Arrangement Accommodation and Personal Safety, NSCV C1 Chapters 1, 3 and 6 should only be triggered if there has been a change to the accommodation and/or crew numbers.
Feedback summary	All submitters who responded to this agreed with this statement. Key comments from stakeholders that submitted: <ul style="list-style-type: none"> • trigger C1 only if more pax, berths or crew. And even then, need allowances for guard rails. • Moving a winch, changing an engine etc. should not mean, for example, that an owner is required to increase guardrail heights from USL heights to NSCV heights. In general, a modification to a vessel should only trigger an upgrade (i.e. from USL to NSCV) in requirements for the area that is affected, and depending on the modification should only be assessed against the original standard. • From a survey point of view, it would be great if it did apply, but from the viewpoint of the operator it may be prohibitively expensive to comply and would ultimately prevent operators from upgrading their vessels to a more modern standard in any areas. • Agree with this. Guardrail heights should not require increasing because a new engine is installed. • Agree: should only be triggered if there is a change to the accommodation or crew numbers. • Preference is that a change in a particular area should only trigger for that specific part.
AMSA's Response	As outlined above, AMSA has made changes to item 1 of table 1 of schedule 2 (arrangement, accommodation and personal safety) in response to feedback and anticipate these changes will provide an appropriate alternative set of standards for arrangement, accommodation and personal safety.

Question 8	Clarification of requirement for approval of EMOC by National Regulator
Feedback summary	Minimal comments were receive in response to question 8. Two submitters suggested that further amendment to the EMOCs provision to clarify the criteria was necessary, and queried the interaction with the criteria in NSCV Part B. In regards to whether AMSA must approve an EMOC, one submitted that that they support the need for clarification in relation to National Regulator approval of a vessel owner's alternative EMOC to NSCV standard; and that the current gap is problematic in that without requirement for such National Regulator approval a vessel owner would have no certainty the alternative EMOC they implement will be accepted by

	an accredited surveyor during a survey, and if it isn't, they will have wasted their time and money.
AMSA's Response	AMSA has made minor changes to Marine Order 503 in response to this feedback and the feedback in response to question 1 about whether the technical specifications in the marine order are clear. The criteria for the approval of an EMOC, and how having an approved EMOC interacts with the criteria for the issue of a certificate of survey, has been clarified. Clause 1.6 of NSCV Part B has also been amended to clarify the National Regulator's position that, in effect, the required outcomes in the respective NSCV Part, Section or subsection will be met where the deemed-to-satisfy solutions have been followed, or, the National Regulator has approved an EMOC in accordance with the approval criteria in Marine Order 503.

Key changes to Marine Order 503 following consultation

AMSA received a number of submissions in response to the proposed changes to Marine Order 503. In summary, there was broad support for the changes Marine Order 503 as outlined above.

AMSA has made the following changes to Marine Order 503 in response to feedback received during consultation, and to improve the overall workability and readability of the marine order:

- the standards for vessels surveyed by Class are now located in a separate standalone provision for clarity. These standards are set out in a new section 5 of Marine Order 503. The standards for vessels not surveyed by Class are set out in section 4.
- section 4(1) setting out the standards for an 'existing vessel' assumed that all existing vessels will have been surveyed before 1 July 2013. However, as a consequence of the definition of "existing vessel" is that a vessel can still be under construction as of today and can continue to roll off the production line into the future. These vessels would not have been surveyed 'before 1 July 2013', therefore creating a gap. The new section 4(2)(a)(ii) addresses this gap and clarifies that the standards that apply to those kinds of existing vessels are the standards that applied to the vessel when design approval was approved.
- the safety equipment standards for 'existing vessels' has been updated to reflect the transitional provisions for safety equipment in NSCV Part C7A (and other Parts) recently consulted on. Section 4 (2) now provides that, in effect, the safety equipment standards for 'existing vessels' are as follows, with the version of standards being those that are 'existing from time to time':
 - Class 1, 2 and 3 vessels – comply with transitional provisions in Annex I of NSCV Part C7A;
 - Class 4 vessels – comply with the transitional safety equipment provisions in NSCV Part F2; and
 - Fast craft – comply with transitional safety equipment provisions in NSCV Part F1.
- the condition of a certificate of survey mentioned in section 7(1)(c) with respect to the provision of periodic survey reports to the National Regulator has been amended so that it requires the owner to 'ensure' that the National Regulator is provided with any reports. The use of 'ensure' in this context provides greater flexibility to owners as it allows for—and recognises that—these kinds of reports are usually provided to the National Regulator by the accredited marine surveyor who surveyed the vessel. Where the report has been provided by the accredited marine surveyor, the owner is now no longer required to again provide the report to the National Regulator.

- the condition of certificates of survey mentioned in section 7(1)(d) has been amended to clarify that the requirement to keep certificates of currency only applies to equipment specifically *required to be carried* on board the vessel. That is, required by the standard(s) in order for the vessel to be issued with a certificate of survey.
- the provisions relating to suspending a certificate of survey have been consolidated into one provision. The new section 11 now prescribes two separate maximum suspension periods, being a period up to six months (where the National Regulation initiates the suspension), or a period of up to 18 months where the owner applies for a voluntary suspension of the certificate. Allowing for an 18 months suspension period for voluntary suspensions—instead of the six months provided under the current marine order—means that certificate holders will no longer need to make multiple applications for suspensions if the vessel is, for example, ‘laid up’ for extended periods.
- definition of ‘service category’ has been included at section 17(1). The meaning is the same as in in NSCV Part B.
- the definition of ‘existing vessel’ in section 18 has been amended to clarify that:
 - for vessels that were constructed before 1 July 2013, a vessel is considered to have been ‘entitled to operate’ in connection with a commercial, governmental or research activity where it was entitled to do so under ‘*an Australian State, Territory or Commonwealth law*’. The vessel must also not have operated as a ‘foreign vessel’ at any time within that two year period. Note: ‘foreign vessel’ has the same meaning as set out in the *Navigation Act 2012* ((see subsection 18(1)(a));and
 - for vessels that were under construction on 30 June 2013, to be an existing vessel, design approval for the vessel must have been lodged and approved before 1 July 2013, and, once construction has been completed, the vessel must be used in connection with a commercial, governmental or research activity within the 2 year period following completion (see subsection 18(1)(b)); and
 - for vessels that were not under construction before 1 July 2013, to be an existing vessel, design approval for the vessel must have been lodged before 1 July 2013 (and be subsequently approved), and have been under construction on 30 June 2016. Similar to vessels that were being constructed on 230 June 2013 (as above), the vessel, once construction has been completed, be used in connection with a commercial, governmental or research activity within the 2 year period following completion (see subsection 18(1)(c)).
- the headings for section 18 and clauses 2 and 3 of schedule 2, and table 1 of schedule 2 have been expanded to give greater clarity to the purposes of the provision.
- item 8 of schedule 1 has been amended so limit the circumstances where an existing vessel would trigger for making a modification, replacement, or installation (as outlined above). Notably changes to an existing vessel with respect to firefighting equipment, lighting, bulwark and guardrails, and anchoring and mooring systems will not be sufficient to trigger the vessel to become a transitional vessel.
- item 1 of table 1 of schedule 2 (arrangement, accommodation and personal safety) has been amended (as outlined above).

Consequential changes

Consequential changes have also been made to the following instruments as a result of these changes made to Marine Order 503 and will be made available on the AMSA website shortly:

- *Marine Safety (Certificates of survey) Exemption 2017 (No.2) (EX02);*
- *Marine Safety (Emergency service vessels and crew) Exemption 2016 (EX24);*
- *Marine Safety (Unpowered barges) Exemption 2017 (No.2) (EX41);* and
- Clause 1. 6 of NSCV Part B.

Changes are to update cross references to reflect the new numbering in Marine Order 503 and to align definitions. A 'savings' provision has also been included in each updated exemption instrument (as necessary) to ensure that approvals issued under the repealed exemption continue on foot.

The definition of 'existing vessel' in EX02 has also been changed so that it aligns, to the greatest extent possible, with the revised definition of 'existing vessel' in section 18 of Marine Order 503. The definition of 'existing vessel' in EX02 does however continue to allow the National Regulator determine that a vessel which has been out of service for longer than 2 years, or which was out of service for longer than 2 years prior to 30 June 2013, as being an 'existing vessel'.

Clause 1.6 of NSCV Part B has also been amended to clarify the National Regulator's position that, in effect, the required outcomes in the respective NSCV Part, Section or subsection will be met where the deemed-to-satisfy solutions have been followed, or, the National Regulator has approved an EMOC in accordance with the approval criteria in Marine Order 503.

More information

AMSA will shortly be publishing tailored guidance on the changes to Marine Order 503. This includes updating the Certificates of Survey (AMSA72) Guidance Notice and publishing new flow charts, in addition to new technical instructions to accredited marine surveyors. These publications will be available on the [AMSA website](#) once finalised.

For further information on the changes to Marine Order 503, please contact: standards.secretariat@amsa.gov.au.

TABLE 1

Comment No.	Provision	Industry comment / submission	Response to submission
1.	Various	<p>Q1 - 6 Answer</p> <ul style="list-style-type: none"> Part 3 - List of Changes - heading of S18 needs full wording as follows - Existing vessel, new vessel and transitional vessel. Currently it reads <u>existing new</u> and <u>transitional</u> vessels which is confusing. For s18(2) and 18(3) I would start with same wording as 18(1) - <i>For this Order, a vessel is an new vessel (transitional vessel) if:...</i> <p>• Example (p5) - Example of Schedule 2, section 1(a) – Existing vessel upgrades service category - What is a service category? I could not find this word in the definitions or Schedule 2. It does appear in Schedule 1 but no explanation.</p> <p>• I would suggest the examples on p5 would be better placed after s4 comparisons on p6.</p> <p>• EMOC needs to be in full - equivalent means of compliance</p> <p>Q7 - Answer</p> <ul style="list-style-type: none"> 1. No expertise to comment on Class matters 2. Comfortable with question from AMSA as written 3. Table 1, Schedule 2 - table needs a heading. Currently it could be read as only applying to 'Fast Craft'. Otherwise agree that Arrangement Accommodation and Personal Safety, NSCV C1 Chapters 1, 3 and 6 should only be triggered if there has been a change to the accommodation and/or crew numbers. 	<p>Thank you for you feedback. This heading has been updated. The structure of this provision has also been revised so that it explains, in a logical order, what an 'existing vessel', 'transitional vessel' and 'new vessel', and subsection (3) now starts with 'for this order..' as suggested.</p> <p>A definition of "service category" has been included. The meaning is the same as in in NSCV Part B.</p> <p>Comment noted. Comment noted. A heading for Table 1 of schedule 2 has now been included. Comment noted.</p>
2.	Various	<p><u>Section 4 (5) (b) (proposals)</u></p> <ul style="list-style-type: none"> Class rules for commercial vessels only to be considered <p>Compliance to International Conventions (certified by the classification societies) to be accepted in lieu of applicable standards for "other areas" (fire protection, stability, subdivision, and so on).</p>	<p>Thank you for your feedback. After careful consideration, AMSA has decided that it will not be progressing with any further extension to the areas that can be surveyed by and meet the standards set by Class with these current changes to Marine Order 503. Similarly, AMSA has decided to not make any changes to 'recognise' vessels that are certified as meeting international conventions. However, AMSA will use the feedback received through this process</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p><u>Section 5</u></p> <ul style="list-style-type: none"> Reference to equivalent solutions accepted under previous State legislation is not included. In case of transitional vessel reassessment and new applications for equivalent solutions under Section 13 would be necessary. <p><u>Section 18</u></p> <ul style="list-style-type: none"> Existing vessel meaning to be clarified in Section 18 (1). According to the current text: paragraphs a, b, and c are all applicable in order that a vessel to be considered “existing”. Perhaps this should be ‘or’? <p><u>Schedule 2 Table 1</u></p> <ul style="list-style-type: none"> Subdivision and damage stability <p>USL Code Section 5 Subsection C Clause 62 requirements refer to one compartment subdivision standards exemption for class 1E vessels. Would be necessary to clarify the conditions for the acceptance of such existing exemptions (max number of passengers, and so on).</p>	<p>to inform necessary changes with respect to Class when MO503 is next amended.</p> <p>Including reference to state issued equivalent solutions (or exemptions) is considered unnecessary. This is because the standards that applied to an ‘existing vessel’ are, in summary, those that applied to the vessel prior to the National Law, which includes state based arrangements. If an existing vessel triggers to transitional vessel, an equivalent means of compliance could be obtained under division 4 of MO503, as necessary, with respect to the (new) standard/s that applies because of the change.</p> <p>The use of ‘and’ is correct in the context.</p> <p>Please see comment as above regarding equivalent solutions.</p>
3.	Various	<p>Thank you for the opportunity for input to the MO503 review, the subject of vessel status is something here at RMS we have an active interest in and field many questions from our customers on the process on how to upgrade their vessels to maximise use and profit. Overall we are very happy with the proposal and believe it places enough rigor and guidance to support accredited surveyors in completing upgrades of survey certificates without critical safety outcomes being missed.</p> <p>Our specific comments on the MO 503 are in the table below with answers to specific questions following the table.</p>	Thank you for your feedback. Comment noted.

Comment No.	Provision	Industry comment / submission		Response to submission									
		<table border="1"> <thead> <tr> <th data-bbox="456 264 730 304">Clause</th> <th data-bbox="730 264 1406 304">Comment</th> </tr> </thead> <tbody> <tr> <td data-bbox="456 304 730 451">4 (3) Standards – New Vessels</td> <td data-bbox="730 304 1406 451">As with Transitional and Existing vessels via Table 1 of Schedule 2, provide mapping on ‘Area of Vessel’ required for review for also New Vessels subject to the Vessel Changes in Schedule 1.</td> </tr> <tr> <td data-bbox="456 451 730 884">Schedule 2 - 1 (b)(i) Area Of the Vessel - 7</td> <td data-bbox="730 451 1406 884">RMS have reservations that changes to vessels structure or watertight integrity (Table 1 - part 7) should then trigger re-assessment to the NSCV C1 (New Vessel) over the original design standard used USL (Existing Vessels). We would recommend a re-think on this clause to the safety case that would support re-assessment to a different construction standard and the benefit of the reassessment. An example that comes to mind is an Existing Vessel welding standard would permit single continuous welding, the NSCV now requires double continuous welding for New Vessels if using Lloyds rules.</td> </tr> <tr> <td data-bbox="456 884 730 1283">Schedule 2 – Table 1 – Fire Safety (a) (ii)</td> <td data-bbox="730 884 1406 1283">The trigger for the installation of a fixed fire-fighting system where Vessel Changes is supported provided the kw limit of the machinery is raised (please see earlier RMS submission for NSCV C4). Customers will not like having to install a fixed fire-fighting system as it will be difficult to convince them on a safety case e.g. Class 3D fishing wanting to fish offshore for additional catch or a Class E hire and drive wanting to add a few extra passengers or other survey classes. However the safety case can be made where the machinery power is substantially above 120Kw.</td> </tr> <tr> <td data-bbox="456 1283 730 1428">Schedule 2 – Table 1 – Electrical</td> <td data-bbox="730 1283 1406 1428">RMS is of the belief that electrical systems should transit to modern day standards on the basis of fire risk for old electrical installations.</td> </tr> </tbody> </table>	Clause	Comment	4 (3) Standards – New Vessels	As with Transitional and Existing vessels via Table 1 of Schedule 2, provide mapping on ‘Area of Vessel’ required for review for also New Vessels subject to the Vessel Changes in Schedule 1.	Schedule 2 - 1 (b)(i) Area Of the Vessel - 7	RMS have reservations that changes to vessels structure or watertight integrity (Table 1 - part 7) should then trigger re-assessment to the NSCV C1 (New Vessel) over the original design standard used USL (Existing Vessels). We would recommend a re-think on this clause to the safety case that would support re-assessment to a different construction standard and the benefit of the reassessment. An example that comes to mind is an Existing Vessel welding standard would permit single continuous welding, the NSCV now requires double continuous welding for New Vessels if using Lloyds rules.	Schedule 2 – Table 1 – Fire Safety (a) (ii)	The trigger for the installation of a fixed fire-fighting system where Vessel Changes is supported provided the kw limit of the machinery is raised (please see earlier RMS submission for NSCV C4). Customers will not like having to install a fixed fire-fighting system as it will be difficult to convince them on a safety case e.g. Class 3D fishing wanting to fish offshore for additional catch or a Class E hire and drive wanting to add a few extra passengers or other survey classes. However the safety case can be made where the machinery power is substantially above 120Kw.	Schedule 2 – Table 1 – Electrical	RMS is of the belief that electrical systems should transit to modern day standards on the basis of fire risk for old electrical installations.	<p>Table 1 is included as we are modifying the standards that apply.</p> <p>If a vessel triggers structure or watertight integrity, they only apply NSCV to the extent of the change and not the full accommodation standard in NSCV Part C1. As outlined above, we have amended the first row of table 1 of schedule 2 to clarify and remove the bulwarks (chapter 6 requirements for many of the triggers).</p> <p>No changes are required as the fixed fire system is only required where C4 requires it (which is not all vessels).</p> <p>We consider this proposed change would be a significant cost impact to industry. We note that requiring RCDs and</p>
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Equivalent Means of Compliance (EMOC)	Add EMOC to the ‘Area of Vessel’ in Schedule 2 mapping to ensure continued validity for the Vessel Changes in schedule 1.						
		<p>Part 2– Specific questions for Committee members</p>					
		<p>Q1. Do you find it easy to understand the technical specifications in amended MO503? <i>The layout and presentation in the amended version is good with the logical extension being to place this in ‘My Boat’ as a standards reckoner similar to the existing support calculators i.e. vessel type (existing or new) + particulars + vessel changes (Schedule 1) = standards to apply (Schedule 2).</i></p>	<p>Comment noted.</p>				
		<p>Q2. Do you think the technical specifications in amended MO503 are appropriate in relation to ‘existing vessels’, ‘new vessels’ and ‘transitional vessels’? <i>Yes I think you have given the appropriate balance for when an existing or new vessel applying for an upgrade should be referred to the new NSCV standards for better safety outcomes or in the case of a transitional vessel revert to the standards it was originally assessed to for those of marginal changes in risk. This will always to be difficult to determine to what extent do we allow grandfathered vessels to continue to operate or be permitted to upgrade e.g. permitting a timber vessel to go from fishing at 30nm - 3C to 200nm -3B, there are inherent risks in the vessel being built of timber and its age and you would probably want a steel vessel at 200Nm for safety.</i></p>	<p>Comment noted.</p>				
		<p>Q3. Do you think there should be more flexibility or less flexibility in relation to the standards that apply to DCVs through amended MO503? <i>It will always be difficult to perceive all scenarios or possibilities and there needs to be some provision for special or unusual cases. I think you have the mix about correct for flexibility.</i></p>	<p>Comment noted.</p>				

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		<p>Q4. Do you like the presentation of the proposed amended MO503? Is it easy to read? <i>In general I doubt if our customer base including accredited surveyor would be able to readily understand this without additional guidance "My Boat" or similar. Some experience as a practitioner heavily involved in survey is required to comprehend the document, it's the nature of Marine Orders –they are hard to understand. The flow charts at the end of the chapter do assist a lot.</i></p> <p>Q5. Do you have any specific suggestions to improve MO503 from a technical and/or presentation perspective? <i>No, AMSA have made a very good attempt to explain a really difficult topic into words, well done.</i></p> <p>Q6: Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503? <i>No</i></p>	<p>Comment noted. We will ensure that guidance is provided.</p> <p>Comment noted.</p> <p>Comment noted.</p>
4.	Various	<p>In answer to your questions;</p> <ol style="list-style-type: none"> 1. Seems reasonably clear. 2. Largely yes, but need to cut down use of NSCV C1 even further. 3. More flexibility. 4. For a legal document, it's readable. 5. 6. 7.1. The use of Class Rules, while adding flexibility, creates complexity. If a vessel leaves Class what rules apply? What records available to other surveyors showing which rules were used? Creates a commercial advantage for Class Societies which can use discretion in the application of their own rules, and have a range of rules available e.g. rules for yachts with smaller shaft dia. 	<p>Thank you for your feedback.</p> <p>Comment noted.</p> <p>Comment noted. We will give further consideration as to what flexibility and improvements can be made to NSCV Part C1 if that part is subject to a review going forward.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>As noted above, after careful consideration, AMSA has decided that it will not be progressing with any further extension to the areas that can be surveyed by and meet the standards set by Class with these current changes to Marine Order 503.</p>

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		<p>7.2 Definitely needs a qualifier. The application of C1 Ch 6 bulwarks should not be applied for minor pax increases. Smaller vessels also need protection, not just large, e.g. 2C increases from 6-8 pax shouldn't need new guard rail height.</p> <p>7.3 Agreed, trigger C1 only if more pax, berths or crew. And even then, need allowances for guard rails.</p>	<p>As noted in the synopsis of feedback above, after careful consideration, AMSA has decided to retain the clause as is relating to increases in passengers, additional berths, class 1 operations etc. AMSA considers that the standards set out in this clause are practicable for the vast majority of instances. AMSA also notes the power to grant a specific exemption provided under section 143 of the National Law. In circumstances where it may not be practicable to apply the standards in that clause, an owner of transitional vessel may apply to the National Regulator for a specific exemption.</p> <p>Comment noted.</p>
5.	Various	<p>Notes on MO503 changes: 6 1 c: Note that the responsibility for submitting the survey report rests with the owner. I would question whether this is practical and whether it will lead to missing survey reports.</p> <p>Sched 1, 8: Changing a fire extinguisher, a light, putting a gate in the bulwark or adding a cleat for a mooring line all trigger table 1. This means they all trigger a new stability booklet with 80kg personnel and new equipment requirements. This seems unreasonable for potentially very small changes.</p>	<p>Thank you for your feedback. This is a condition which exists under the current marine order. Considering the owner is usually person commissioning the survey to be undertaken, we think this condition is practical. AMSs are also required to submit completed survey reports/recommendations to AMSA so the likelihood of a report going missing is low. We have however amended this condition so that it requires the owner to 'ensure' that the report is provided—rather than require that the owner must provide—noting the obligation under the National Law Regulations for accredited marine surveyors to provide reports to the National Regulator.</p> <p>As outlined in the feedback synopsis above, item 8 of schedule 1 has been amended in response to feedback received on this point and specifically, where only minor changes have been made.</p>

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		<p>Schedule 1, 6 (e): Windage is not included in many USL stability criteria. Should this still trigger in this instance?</p> <p>Table 1, Construction (ii): "documentation evidencing the design approval" Does this include certificate of survey? Often that is the only evidence on file with the delegate.</p> <p>Notes on MO503 Explanatory: Q1: Yes Q2: Mostly. See above Q3: More, see above. Q4: OK, easy to understand Q5: See above Q6: Part 8 of schedule 1 is very broad and does not allow for any discretion for minor changes, see above.</p> <p>Q7, (1): If a vessel is in class survey for stability electrical etc, it should deemed OK for DCV survey. So yes, expand.</p> <p>Q7, (2): It should only apply to the new berths not the whole vessel.</p>	<p>We have decided to retain the windage clause without any percentage factor. Even though the USL may not have had windage requirements for <u>some</u> vessels, we consider it necessary for the applicant to demonstrate again/check they can comply with the USL after any changes.</p> <p>That is not our intention. The intention is sufficient documentation to confirm design approval. Examples may include approved plans, certificates of compliance or letters of approval etc.</p> <p>Comment noted. Comment noted. Comment noted. Comment noted. Comment noted. Comment noted.</p> <p>As noted above, after careful consideration, AMSA has decided that it will not be progressing with any further extension to the areas that can be surveyed by and meet the standards set by Class with these current changes to Marine Order 503.</p> <p>As noted in the synopsis of feedback above, after careful consideration, AMSA has decided to retain the clause as is relating to increases in passengers, additional berths, class 1 operations etc. AMSA considers that the standards set out in this clause are practicable for the vast majority of</p>

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		<p>Q7, (3): I would agree with this line of thinking. If the change has no affect on the section 6 of the accommodation, it should not be applied. Not sure why chapter 3 is included. Seems not to have changed from the USL?</p>	<p>instances, and where it is not, an owner may apply to the National Regulator for a specific exemption.</p> <p>Comment noted. As outlined above, item 1 of schedule 2 has been amended.</p>
6.	Various	<p>Answers to specific questions</p> <p>Q1. Yes, the specifications are easily understood</p> <p>Q2. No in some cases, detailed further below.</p> <p>Q3. More flexibility should be provided for existing vessels that may be making relatively small changes</p> <p>Q4. Readability is OK</p> <p>Q5. See comments below in technical</p> <p>Q6. No comment</p> <p>Q7. (1) Class rules should be considered acceptable for all areas</p> <p>Q7. (2) Agree, a combination of percentage and number should be used. I have no comment as to what these numbers should be though.</p>	<p>Thank you for your feedback.</p> <p>Comment noted.</p> <p>Comment noted. As noted above, we have decided to not extend the areas which class rules can be accepted at this time.</p> <p>As noted in the synopsis of feedback above, after careful consideration, AMSA has decided to retain the clause as is relating to increases in passengers, additional berths, class 1 operations etc.</p>

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		<p>Q7. (3) Absolutely agree. Moving a winch, changing an engine etc. should not mean, for example, that an owner is required to increase guardrail heights from USL heights to NSCV heights. In general, a modification to a vessel should only trigger an upgrade (i.e. from USL to NSCV) in requirements for the area that is affected, and depending on the modification should only be assessed against the original standard. Certificates of survey need to list each specific standard that applies to the vessel. It is difficult to conduct a vessel survey without knowing what rules apply to which parts of the vessel.</p> <p>Comments on specific sections</p> <p>6 (1) (c) - Clarify whether this is an AMSA 901 form or equivalent, or, is this meant to be a separate report, by the owner, each year.</p> <p>6 (1) (d) - "any equipment" should be only in regards to equipment specifically required by the standard</p> <p>6 (1) (g) "note" - some changes may not have any effect on the CoS, as such, reissue would not be required</p>	<p>As outlined above, AMSA has made changes to item 1 of table 1 of schedule 2 (arrangement, accommodation and personal safety) in response to feedback and anticipate these changes will provide an appropriate alternative set of standards for arrangement, accommodation and personal safety.</p> <p>The intention is that the report is the form completed by the person that has conducted the surveyor and is not a separate form. We will clarify this point with accredited marine surveyors. We have however amended the condition so that it requires the owner to 'ensure' that the report is provided, which will allow for other persons to provide the report and, in practice, will only require the owner to provide the report where the accredited marine surveyors has not already provided it.</p> <p>Comment noted. This has been updated so that it makes it clear that the certificate that needs to be current is for any equipment required to be kept on the vessel.</p> <p>If any of the changes occurs in schedule 1 then a new certificate of survey will need to be issued for the vessel. This is because the standards to which the vessel will need to meet changes i.e the standards will either be those for transitional vessel or 'new vessel' standards if a DCV owner chooses full compliance.</p>

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		<p>17 (1) (b) - clarify "a certificate of compliance" e.g. a current, or, past certificate of survey for the vessel</p> <p>Schedule 1, 6 (c) & (d) Where we have recalculated the lightship displacement for a vessel, it is often the case, for smaller vessels, that it is out by more than 4% displacement. This should only trigger a review of the stability and possibly the structure. Certifying the structure should only be required if the scantling draft increases by say 10% - there needs to be some allowance.</p> <p>Schedule 1, 6 (e) A significant amount of USL vessels did not require windage to be considered in the stability. As such, how would an increase in windage affect their existing compliance with the rules. For other vessels a percentage factor should be used before it triggers Schedule 2.</p> <p>Schedule 1, 6 (f) These modifications should only trigger areas that are directly affected. Moving a winch should only trigger the stability, not a change in equipment requirements. Would this be triggered by such things as: a new bar fridge a crane not required to be considered due to a small heeling moment installation of a small tank e.g. < 100L</p>	<p>That is not our intention. As outlined above, the intention is sufficient documentation to confirm design approval. Examples may include approved plans, certificates of compliance or letters of approval etc. Furthermore, the intention is also that the certificate of compliance is one that has been prepared for the vessel and (subsequently) accepted by the marine safety authority. We think the current drafting of (b) of the definition of 'design approval' gives effect to that intention.</p> <p>We have made no changes to the 2% and 4%, however as noted above, we have made changes to table 1.</p> <p>We have decided to retain the windage clause without any percentage factor. Even though the USL may not have had windage requirements for <u>some</u> vessels, we consider it necessary for the applicant to demonstrate again/check they can comply with the USL after any changes.</p> <p>The intention is to trigger vessels for small changes and bring people to more modern standards. However, we note that a 'Bar fridge' is not considered refrigeration equipment. The intention is to capture commercial refrigeration equipment. Many of the issues being raised are related to WA vessels previously permitted to use beam on 8 rule. If those vessels are changing things we want them to trigger.</p> <p>As outlined in the feedback synopsis above, item 8 of schedule 1 has been amended in response to feedback</p>

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		<p>Schedule 1, 8 Changes to the electrical system should not affect other parts of the vessel. As long as it is surveyed as required by MO503 and doesn't trigger other sections, it should be considered satisfactory.</p> <p>Schedule 2, 1 (b) (i) "area of the vessel affected by any previous change" this seems that it may have unintended consequences.</p> <p>Schedule 2, Table 1 - Construction (a) (i) The construction standard that the vessel was built to should stay the same independent of any changes. For example, the deck structure under the NSCV if significantly more than that which is required under the USL, if NSCV is then enforced significant works are required for structures that were previously considered fit for purpose.</p> <p>Schedule 2, Table 1 - Intact stability (c) This means that any change to a vessel requires that a new stability booklet is prepared showing an updated personnel weight even if the change has nothing to do with stability. e.g. installing a new light fitting means a new stability booklet, this seems ridiculous.</p>	<p>received on this point and specifically, where only minor changes have been made.</p> <p>Comment noted.</p> <p>We consider no changes are required because schedule 2 expressly provides that only the changed item to comply with NSCV to the extent of the change.</p> <p>We have not made any further changes here because we consider the changes made to item 8 of schedule 1 will ensure that a more balance outcome is achieved with respect to the circumstances where the vessel will trigger and standards to be applied.</p>
7.	Various	<p>Q1. Do you find it easy to understand the technical specifications in amended MO503?</p> <p><i>The subjectivity of the original MO 503 has been addressed to a certain point, however in doing so there are some ridiculous trigger points and it is still not clear in the transitional vessel section when full NSCV compliance is triggered or required. Amendment draft states basically only like for like replacement and no mention of improvements not triggering NSCV new vessel requirements.</i></p> <p><i>Fire systems and the variation on stability for instance. If we replace a NAF-S3 III system with an 'approved water mist does this trigger a new vessel classification, reading schedule 1 section 6 this would trigger new vessel requirements when it actually make the vessel safer for the operator.</i></p> <p><i>Change to light ship 4% LCG by 2% would do the same, what if the LCG was improved by 3%. All the other items listed are onerous and would prevent</i></p>	<p>Thank you for your feedback.</p> <p>Comment noted. AMSA considers that the trigger points provided in the draft, in general, provide a sound balance and ensures that the alternative standards provide improved safety standards while reducing the overall burden for owners of existing and transitional vessels.</p> <p>As outlined in the feedback synopsis above, item 8 of schedule 1 has been amended in response to feedback received on this point and specifically, where only minor changes have been made.</p>

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		<p><i>operators improving their vessels and indeed encourage operators to spend less on their vessels over all.</i></p> <p><i>Changes made to vessels where the vessel still meets required stability and if applicable load line should not trigger a new vessel classification. Any new changes made to the vessel should be compliant with new NSCV but only the affected areas and should not trigger a full assessment of the ship as a new build. This would seem a simple and streamlined approach compared to the quite convoluted amended draft of MO503.</i></p> <p>Q2. Do you think the technical specifications in amended MO503 are appropriate in relation to ‘existing vessels’, ‘new vessels’ and ‘transitional vessels’? <i>No the technical specifications for transitional (existing) vessels or rather the allowed variations are restrictive and will have a negative outcome on vessel safety overall.</i></p> <p>Q3. Do you think there should be more flexibility or less flexibility in relation to the standards that apply to DCVs through amended MO503? <i>Original MO503 was very subjective and it is good to see this addressed however the draft does not appear to have any built-in flexibility, the technical specifications for transitional vessels are onerous and it is still not clearly indicated when a vessel becomes a new build or what is the actual requirement for it to remain a transitional vessel or how long transitional status can be applied.</i></p> <p>Q4. Do you like the presentation of the proposed amended MO503? Is it easy to read? <i>No the draft document is not as easy to read as the original, it is poorly put together and constant reference to schedules and other documents means a lot of time leaving the section of document to refer to other sections or leaving the document altogether to refer to other documents. Reference sections should be</i></p>	<p>Comment noted. AMSA consider these changes will improve safety standards is there is greater clarity for industry and surveyors as to when a vessel is no longer an existing vessel; and allows for operators to progressively ‘upgrade’ their vessels, thereby improving safety standards while easing the burden for DCV owners.</p> <p>Comment noted.</p> <p>Comment noted. We will try and provide greater clarity to how the order operates in guidance material and AMSA’s technical instructions.</p>

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		<p><i>either included in the relevant section (its electronic now so we are not saving paper) Or on website hyper linked to referenced requirements. It does not matter if the same paragraph is included several times on the document, it is more important that relevant information is presented easily in its relevant position.</i></p> <p>Q5. Do you have any specific suggestions to improve MO503 from a technical and/or presentation perspective? <i>Presentation as above the document should be clearly presented and should not refer to subsections and clauses the relevant info needs to be right there in the Appropriate chapter it is after all essentially an information document.</i></p> <p><i>Technically the parameters set for vessels in transition (old vessel being modified) are unclear and appear onerous, older vessels that are well proven (have been operating safely for years) when modified should not be classed as a new build. For example, we add a new cabin two extra personnel (crew or SP) this should simply be judged on the IOM MLC or the NSCV on what is required for the new accommodation without triggering the wholesale modification of the vessel to meet current NSCV or NSAMS requirements throughout the rest of the vessel.</i></p> <p>Q6: Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503? <i>Who, when and how is it decided as to what is now considered a new vessel, when does the transition vessel category no longer apply.</i></p> <p>Q7. AMSA is also seeking input from industry on the following three questions:</p> <p><i>(1) IACS classification society member rules are internationally accepted and as such should be accepted by AMSA, so the below dot points in section one should both be included, also the IMO ILO MLC should be</i></p>	<p>Comment noted. It is necessary to refer to the specific clause/subsections for legal accuracy. We have included the technical specifications in tables, in a schedule, so as to not get over complicate the body of the order. As noted above, we consider these changes will improve safety standards as there is greater clarity for industry and surveyors as to when a vessel is no longer an existing vessel; and allows for operators to progressively ‘upgrade’ their vessels, thereby improving safety standards while easing the burden for DCV owners.</p> <p>A vessel stays a transitional vessel and can continue transitioning or opt to being a new vessel.</p> <p>Comments noted.</p>

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		<p><i>included as a minimum in the AMSA NSCV. Can a Vessel be built in Australia to Lloyds for example and not have to comply to NSCV? This is not clear.</i></p> <p><i>(2) Increases in Crew sizes should not affect survey providing the MLC requirements are adhered to.</i></p> <p><i>Increases in passenger numbers should be judged on the vessels safety and ability to safely transport passengers, any increase should be fully assessed, most passenger vessels will have already opted for the most they can accommodate safely adding a percentage or number to this could compromise safety. On a reapplication could operators simply add more passengers for a second time without triggering survey ?</i></p>	<p>Comment noted however if the meet MLC they would more than likely meet the requirements in NSCV Part C1 so there may not be a practical issue.</p>
8.	Various	<p>With regard to the below specific question posed by AMSA, please see comments inserted in red text:</p> <p>(1) The extent to which Class Rules can be applied to a DCV, as per section 4(5). The current draft provides that a Recognised Organisation can apply their Class Rules for the construction, machinery and electrical installation aspects of the vessel. For all other aspects of the vessel, the NSCV (or other standards that may apply to an existing vessel i.e. USL Code) would apply.</p> <p>AMSA is seeking industry comments as to whether this is the correct setting or whether Recognised Organisation’s use of Class Rules outside of the NSCV standards should be applied as follows:</p> <ul style="list-style-type: none"> • the construction and machinery aspects of the vessel only, or alternately expanded to cover. BV- If a vessels machinery installation is covered by Class, i.e vessels Classification certificate includes machinery notation, then the electrical installation is also included as part of machinery. Compliance with Class Rules for the machinery and electrical installation is covered by the machinery notation. It does not make sense to include machinery aspects without including electrical aspects. • the construction, machinery, subdivision, stability and electrical aspects of the vessel. BV - See above comments regarding electrical aspects. With regard to 	<p>Thank you for your feedback. After careful consideration, AMSA has decided that it will not be progressing with any further significant extensions to the areas that can be surveyed by and meet the standards set by Class with these current changes to Marine Order 503. We also note that some ROs Class rules do not cover stability or subdivision.</p> <p>As noted above, AMSA has decided to not make any changes to ‘recognise’ vessels that are certified as meeting</p>

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		<p>subdivision and stability, if the vessel is in Class then it makes sense to accept Class Rules for stability and subdivision. This is permitted for non-SOLAS RAV's under MO12 Section 10(1) and should also be considered for DCV's.</p> <p>MO12: 10 Vessels to which Chapter II-1 does not apply (1)A regulated Australian vessel to which Chapter II-1 does not apply must meet the standards for structure, subdivision, stability, machinery and electrical installations that: (a)apply to the vessel's area of operation under: (i) Sections 3 and 6 of Part C of the NSCV if: (A)the vessel was constructed after 30 September 2008; or (B)the vessel was constructed before 1 October 2008 and has been upgraded in service or is subject to initial survey; or (ii) for a vessel not mentioned in subparagraph (i) — sections 5 and 8 of the USL Code as in force on 30 September 2008; or (b)are applied by the vessel's classification society.</p> <p>Additionally AMSA is seeking industry comment on whether, and the extent to which, compliance with international conventions (certificated by the Recognised Organisation) should be accepted in lieu of applicable standards for "other areas" (fire protection, stability, subdivision etc), as per section 4(5)(b). See above comments for stability and subdivision.</p> <p>International conventions such as SOLAS (certified by an RO) should be accepted for fire protection and safety equipment. It is common for a vessel to be constructed overseas and to be reviewed, surveyed and certified by an RO to SOLAS standards. When such vessels are bought by Australian owners who wish to operate the vessel as a DCV in Australia, areas such as structural fire protection whilst meeting SOLAS requirements do not meet NSCV requirements. It would make sense that a vessel that is constructed and equipped to an International standard that allows the vessel to operate internationally or as a RAV in Australian waters would be considered to meet an acceptable standard to operate as a DCV.</p>	<p>international conventions. However, AMSA will use the feedback received through this process to inform necessary changes with respect to Class when MO503 is next amended.</p>
9.	Various	<p>Section 3 Survey of vessels, subsection (2) requires that "An electrical survey must be conducted by: (a) for electrical survey for plan approval — any of the persons mentioned in paragraph (1)(b); and (b) for an electrical survey other</p>	<p>Thank you for your feedback. Comment noted. However, we have not extended this provision to allow Class to also conduct this kind of survey. Our intention is that Class can</p>

Comment No.	Provision	Industry comment / submission	Response to submission									
		<p>than for plan approval — a person who holds an unrestricted electrical licence or an accredited marine surveyor who is accredited to perform electrical surveys. It does not state that an electrical survey can be carried out by a recognised organisation. This doesn't make sense when the vessel is Classed for Machinery (which includes the electrical system). Surely a RO Surveyor is permitted to carry out an electrical survey on a vessel that is in Class with their Classification Society. The class society surveyor will already be carrying out a survey of the electrical system for annual Class surveys as required by Class Rules. It stands to reason that if the vessel standard for electrical installations is Class Rules as permitted by Section 4, 5(b) then the Class Society Surveyor is permitted to carry out the electrical survey. This should be stated in Section 3, subsection (2).</p>	<p>do plan approval, but that only AMS or electrician can do other types of electrical matters. This aligns with WHS and state electrical laws as to who can do electrical work. If a class surveyor is an electrician they can do the survey. Note – a person can only be granted electrician accreditation if they are a licenced electrician.</p>									
10.	Various	<p>Listed below are comments made about the draft of Marine Order 503 (Certificate of Survey) 2017.</p> <table border="1" data-bbox="461 770 1350 1386"> <thead> <tr> <th data-bbox="461 770 629 879">Section</th> <th data-bbox="629 770 1055 879">Marine Order 503 -2017 (Draft)</th> <th data-bbox="1055 770 1350 879">Comment</th> </tr> </thead> <tbody> <tr> <td data-bbox="461 879 629 1026">Section 18</td> <td data-bbox="629 879 1055 1026">Existing, new and transitional vessels - Meaning</td> <td data-bbox="1055 879 1350 1026">comma missing between the words "existing" and "new" in draft</td> </tr> <tr> <td data-bbox="461 1026 629 1386"></td> <td data-bbox="629 1026 1055 1386">(1)(a) for a vessel that was constructed before 1 July 2013 - it was entitled to operate, or was issued with a survey certificate (however described) for use, in connection with a commercial, government or research activity in the 2 years ending on 30 June 2013 and;</td> <td data-bbox="1055 1026 1350 1386">government used as an adjective, should be governmental as for the 2 paragraphs below.</td> </tr> </tbody> </table>	Section	Marine Order 503 -2017 (Draft)	Comment	Section 18	Existing, new and transitional vessels - Meaning	comma missing between the words "existing" and "new" in draft		(1)(a) for a vessel that was constructed before 1 July 2013 - it was entitled to operate, or was issued with a survey certificate (however described) for use, in connection with a commercial, government or research activity in the 2 years ending on 30 June 2013 and;	government used as an adjective, should be governmental as for the 2 paragraphs below.	<p>Thank you for your feedback.</p> <p>This has been updated.</p> <p>This has been updated.</p>
Section	Marine Order 503 -2017 (Draft)	Comment										
Section 18	Existing, new and transitional vessels - Meaning	comma missing between the words "existing" and "new" in draft										
	(1)(a) for a vessel that was constructed before 1 July 2013 - it was entitled to operate, or was issued with a survey certificate (however described) for use, in connection with a commercial, government or research activity in the 2 years ending on 30 June 2013 and;	government used as an adjective, should be governmental as for the 2 paragraphs below.										

Comment No.	Provision	Industry comment / submission		Response to submission	
			<p>Note for paragraph (a) Changes mentioned in Schedule 1 include changes to the vessel's operations, structure, equipment, systems, fittings or arrangements. Paragraph 6(1) provides that it is a condition on a certificate of survey that the vessel is not to be operated if a change mentioned in Schedule 1 has occurred.</p>	<p>Paragraph 6(1) should be changed to Paragraph 6(1), Schedule 1 to avoid any confusion as to the location of the paragraph.</p>	<p>We think the Note is located in the correct position. The purpose of the Note is to give persons reading that definition a quick idea of what kinds of the kinds of changes outlined in schedule 1, and without having to go back to that schedule to work out if it is relevant.</p> <p>This has been updated. Note that standards for vessels surveyed by Recognised Organisations are now in a separate provision, section 5.</p> <p>This has been updated.</p> <p>Comment noted.</p> <p>This has been updated.</p>
Section 4	<p>(ii) for construction, machinery and electrical installations - the class rules; and</p>	<p>Numbering convention incorrect. Should be (i)</p>			
	<p>(iii) for other areas of the vessel – the standards mentioned in subsections (1), (2), (3) or (4) , that apply to the vessel.</p>	<p>numbering convention incorrect. Should be (ii)</p>			
<p>Listed below are the answers to the questions posed in the external consultation booklet provided:</p> <p>Part 2 - Questions Q1 – Do you find it easy to understand the technical specifications in amended MO503 A1 – I have broken down this answer section by section:</p> <p>Section 2 – Easily understood.</p>					

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>Section 3 - Paragraph 4: The word "conducted" needs to be added after the words "must be", also change the word "the" to "that" after "does not need to be in accordance with the document:"</p> <p>Section 4 – Easily understood</p> <p>Section 5 – In subparagraph (2)(b)(i) and (ii), both talk about the equivalent means of compliance(EMOC) not replacing the requirement or standard. My understanding of a EMOC is that an EMOC does replace a requirement or standard having been reviewed and approved by AMSA as not being of a lesser requirement or standard. So I am not sure what is being said in this section.</p> <p>Section 6 – Easily understood</p> <p>Section 7- Easily understood.</p> <p>Section 8 – Easily understood</p> <p>Section 9 – Easily understood</p> <p>Section 10 – Easily understood</p> <p>Section 11 – Easily understood.</p> <p>Section 12 – Easily understood</p> <p>Section 13 – Easily understood. This section reinforces my argument about Section 5, subparagraph (2)(b)(ii), being that the EMOC must be at least as effective as the survey requirement or standard that it replaces.</p> <p>Section 14 – Easily understood</p> <p>Section 15 – Easily understood</p> <p>Section 16 – Easily understood</p> <p>Section 17 – Easily understood</p> <p>Section 18 – Easily understood</p> <p>Q2 – Do you think the technical specifications in amended MO503 Comment noted.are appropriate in relation to “existing vessels”, “new vessels” and “transitional vessels”?</p> <p><i>A2 – (i) Existing vessel – easily understood.</i></p> <p><i>(ii) New vessel – easily understood</i></p> <p><i>(iii) Transitional vessel – easily understood</i></p>	<p>Comment noted.</p> <p>An EMOC replaces the deemed to satisfy solution set out in the NSCV, however, the National Regulator cannot approve an EMOC unless it meets the required outcome. We have revised this provision to try and make the intent clearer.</p> <p>Thank you for providing feedback on each section of the draft Marine Order 503. Your comments on sections 6 to 18 are noted.</p> <p>Comments noted.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>Q3 – Do you think there should be more flexibility or less flexibility in relation to the standards that apply to DCVs through amended MO503. <i>A3 – Flexibility is not the issue, what is really needed is absolute clarity around what standard is to be used. This draft appears to give that clarity (IMHO) and I would be interested in the opinion of others. In Section 18, subsection (3), I am assuming that a vessel can still be surveyed by a surveyor up to 2 years after the certificate has expired without the need to re-survey the vessel against whatever standard applied at the time.</i></p> <p>Q4 – Do you like the presentation of the proposed amended MO503? Is it easy to read? <i>A4 – The presentation is in the correct sequence and is easy to navigate.</i></p> <p>Q5 – Do you have any specific suggestions to improve MO503 from a technical and/or presentation perspective? <i>A5 – See above regarding use of temporary certificates as grammatical errors.</i></p> <p>Q6 – Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503? <i>A6 – The draft does not require any specific guidance. If it is written correctly it should not.</i></p> <p>Q7 – AMSA is seeking input from industry on the following three questions:</p> <p>(1) The extent to which Class Rules can be applied to a DCV, <i>as per section 4(5) should be allowed where the Registered Organisation (RO) should be required to prove that their rules meet the requirements of the NSCV and not be given automatic licence to apply their rules without scrutiny. By making sure the RO’s rules are in line with NSCV, then any vessels surveyed by a non RO surveyor in the future will not need to be re-assessed by that surveyor if something on the vessel is not correct.</i></p>	<p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>(2) The extent to which Schedule 2 Table 2 clause (a)(i) could benefit from a “qualifier”: <i>The requirements for berthed passengers; toilets, showers, floor space per passenger etc would need to be maintained. It would be difficult to see how a vessel designed to accommodate a defined number of passengers in berths could increase that number without compromising on any of these requirements. Any increases in pax numbers and reducing the amenities per passengers would only lower the experience of those passengers and potentially reduce the owner ability to attract clients given that reviews of tourist experiences are easy to access and very wide ranging.</i></p> <p>(3) The following list are the chapters of NSCV C1; <i>Ch 1 – Preliminary, Ch3 – Provision for Navigation Lights and Ch 6 – Personal Safety. Schedule 1 Clause 1 – upgrade of service category, Clause 2 – operations outside the geographical area,</i></p> <p><i>Clause 3 – commence carrying dangerous goods, Clause 4 commences overnight operations with overnight accommodation, Clause 5 - increase in pax numbers and</i></p> <p><i>Clause 6 – any changes that effect berths, propulsion, stability etc. are those that will trigger Table 1 in Schedule 2. Ch 1 and 3 of C1 are difficult to prescribe to an increase in passengers/accommodation. Ch 6 is personal safety and needs to be considered in light of what is being increase/changed. The number of areas covered in Ch 6 is extensive and any increase in the accommodation or crew numbers should be evaluated against Ch 6 and those areas that are effected need to be changed. Part 3 – List of changes</i></p> <p>8. Clarification of EMOC requirements. <i>In the current versions of MO503-2013 ad NSCV Part B, the word “may” is used in reference to applications for EMOCs. The word “may” in a legal sense, allows the owner/operator to decide if they will comply with that section of the Marine Order or Part B. If the word “may” is changed to “must” or “shall”, then the</i></p>	<p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted. We have revised clause 1.6 from NSCV Part B to make the intention clearer with respect to EMOCs, as noted above.</p>

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		<p><i>owner/operator is required to make an application if they want the EMOC to be successful and be able legally make the change.</i></p> <p><i>There is one classification of vessel that has been left out of this draft. A number of vessels currently operating in Queensland are grandfathered "existing" vessels that are not subjected to survey, were built prior to the existence of the USL Code and operate on a Certificate of Operation only. Paragraph 4(1),(a) and (b) only refer to vessels that have been surveyed. There are occasions when a survey standard needs to be applied. This important class of vessels needs to be included to allow owners, surveyors and the National Regulator be certain which standard applies to these vessels.</i></p>	<p>These vessels would be exempt from the requirement to have a certificate of survey under division 5 of Marine Safety (certificates of survey) Exemption 2017. Vessels exempt under division 5 of EX02 must, as a condition of exemption, continue to meet the design, construction and equipment standards that applied to the vessel on 30 June 2013 (among other conditions).</p>
11.	General	<p>[Organisation] represents 22 Licence Holders in the Western Zone Abalone Fishery (WZAF) in South Australia. Our organization is proactive, credible and leaders in research, development and sustainability of native abalone. Our members maintain high WHS standards when it comes to fishing. We work with state and national organisations and government and contribute significant funds through licensing.</p> <p>[Organisation] wish to submit our comments in regards to AMSAs proposed changes to the Marine Order (MO) 503.</p> <p>The WZAF fleet consists of approximately 25 surveyed vessels predominantly of Class 2C/3C (restricted). The Industry is continually, evolving and the upgrade of existing vessels combined with new vessels is expected.</p> <p>After consideration of the proposed changes to MO503 (providing clarity); [Organisation] acknowledges changes as we believe they would have no impact on our Industry's current diving arrangements.</p> <p>We kindly request being included and informed on any future developments regarding this submission</p>	<p>Thank you for your feedback and taking the time to comment on the proposed changes to Marine Order 503.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
12.	General	<p>[Organisation] is the peak representative body for the commercial fishing, pearling and aquaculture industries in WA. Through our funding mechanisms every business licensed under the WA fisheries legislation is a member. This equates to over 1,000 vessels, mainly operating near shore.</p> <p>[Organisation] support the intention behind the proposed changes to Marine Order 503 (MO503) to provide a clearer and more comprehensive set of 'triggers' to remove the current uncertainty in industry around when changes to an existing vessel's operations or configuration will require an owner to consider a new survey for the vessel.</p> <p>[Organisation] agree that the proposed changes create more flexibility in the standards that will apply to existing vessels when they do 'trigger' the need to re-survey that vessel and the amended MO503 is easier to read. We would prefer that 'definitions' is placed at the commencement of the document for ease of reference prior to entering the main text. It is important that examples similar to those provided in the explanatory consultation document are included in a fact sheet/guidance sheet on MO503 available on AMSA's webpage.</p> <p>[Organisation] are pleased that the proposed changes to MO503 continues to give continuing effect to 'grandfathering' vessels (i.e. vessels that remain subject to the survey, design, construction and equipment standards that applied to the vessel on 30 June 2013) unless the owner adjusts the operations or configuration of the vessel and triggers the need to consider a new survey for the vessel.</p> <p>[Organisation] acknowledge that the proposed changes should make it easier for industry to move towards contemporary survey safety standards without going to the time and expense of applying for individual general exemptions or equivalent means of compliance.</p> <p>[Organisation] are pleased that the amendments introduces a 'transitional vessel' option that will remove the previous disincentive to upgrade given that once an 'existing vessel' triggers to a 'new vessel', all aspects of the vessel must</p>	<p>Thank you for your feedback and taking the time to comment on the proposed changes to Marine Order 503.</p> <p>We will also ensure that general guidance is published on the AMSA website, and in addition to AMSA's technical instructions and other guidance to accredited marine surveyors.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p> <p>Comments noted.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>fully comply with all of the contemporary standards set out in section 8 of MO503 which was a significant cost impost. An owner of a 'transitional vessel' (i.e. a vessel that triggers criteria in Schedule 1 of MO503) can now choose to comply with the contemporary standard (s4(2) of MO503), or a range of alternative standards that ensures the safety of the vessel (Schedule 2 of MO503).</p> <p>[Organisation] support the key purpose of this change is to ensure that as areas of a vessel (or its operation) are upgraded or changed (trigger), the vessel will be subject to the standards current at the time of the trigger event, rather than applying standards frozen in time at the date it became a 'new vessel'.</p> <p>We support the provision that where a vessel is altered that triggers criteria in Schedule 1 of MO503, the vessel must obtain a new certificate of survey is issued by the National Regulator. We note that where a vessel is altered that does not trigger Schedule 1, the operator need only apply to the National Regulator for a variation to their current certificate of survey.</p> <p>[Organisation] support the need for clarification in relation to national regulator approval of a vessel owner's alternative equivalent means of compliance (EMOC) to NSCV standards. We accept that the current gap is problematic in that without requirement for such national regulator approval a vessel owner would have no certainty the alternative EOMC they implement will be accepted by an accredited surveyor during a survey, and if it isn't, they will have wasted their time and money.</p> <p>[Organisation] thank AMSA for the opportunity to make comment on these proposed amendments to MO503. We look forward to reviewing the outcomes from industry deliberations.</p>	<p>Comments noted.</p> <p>Comments noted.</p> <p>Comment noted, and thank you for taking the time to comment.</p>
13.	Various	<p>MO 503 Comments</p> <p>Q1. Do you find it easy to understand the technical specifications in amended MO503?</p> <p><i>The technical specifications are fine. It is a bit open ended that a vessel becomes a 'transitional vessel' and there doesn't seem to be a time frame or set of</i></p>	

Comment No.	Provision	Industry comment / submission	Response to submission
		<p><i>conditions for this transition to end. Perhaps a term which does not carry these inferences would be more suitable?</i></p> <p>Q2. Do you think the technical specifications in amended MO503 are appropriate in relation to 'existing vessels', 'new vessels' and 'transitional vessels'?</p> <p><i>The specifications are appropriate.</i></p> <p>Q3. Do you think there should be more flexibility or less flexibility in relation to the standards that apply to DCVs through amended MO503?</p> <p><i>Less flexibility. Prevents confusion and provides ease of application and compliance.</i></p> <p>Q4. Do you like the presentation of the proposed amended MO503? Is it easy to read?</p> <p><i>The legislation is not particularly easy to read (but to be fair most of the legislation is not easy to read). I think the number of references to other legislation and sections and sub-sections of the present legislation should be limited as much as possible. However, the two attached flow charts for new and existing vessels are easy to follow. It is recommended that they be included in the legislation as a reference that can be updated as the legislation changes.</i></p> <p>Q5. Do you have any specific suggestions to improve MO503 from a technical and/or presentation perspective?</p> <p><i>As above.</i></p> <p>Q6: Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503?</p> <p><i>It would be good to see the new MO503 including the changes to the NSCV Part C7A.</i></p> <p>Q7. AMSA is also seeking input from industry on the following three questions:</p>	<p>Thank you for your feedback. As noted above, a vessel stays a transitional vessel and can continue transitioning (over and over again) or opt to being a new vessel.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted. It is not possible to include flow charts (or similar) into legislative instruments. We will ensure that general guidance is published on the AMSA website, and in addition to AMSA's technical instructions and other guidance to accredited marine surveyors.</p> <p>Comment noted.</p> <p>The draft Marine Order 503 has been updated to clarify that, from 1 January 2018, the equipment standards for existing vessels (and transitional vessels) are in NSCV Part C7A, which is the version of NSCV Part C7A that is in force from time to time.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>(1) The extent to which Class Rules can be applied to a DCV, as per section 4(5). • the construction and machinery aspects of the vessel only, or alternately expanded to cover</p> <ul style="list-style-type: none"> • the construction, machinery, subdivision, stability and electrical aspects of the vessel <p>The current draft provides that a Recognised Organisation can apply their Class Rules for the construction, machinery and electrical installation aspects of the vessel. For all other aspects of the vessel, the NSCV (or other standards that may apply to an existing vessel i.e. USL Code) would apply.</p> <p>AMSA is seeking industry comments as to whether this is the correct setting or whether Recognised Organisation’s use of Class Rules outside of the NSCV standards should be applied as follows:</p> <p><i>I believe Class rules should apply to the construction, machinery, subdivision, stability and electrical aspects of the vessel</i></p> <p>Additionally AMSA is seeking industry comment on whether, and the extent to which, compliance with international conventions (certificated by the Recognised Organisation) should be accepted in lieu of applicable standards for “other areas” (fire protection, stability, subdivision etc), as per section 4(5)(b).</p> <p><i>I believe a vessel which complies with the relevant IMO convention shall be deemed to qualify with the national requirements.</i></p> <p>(2) The extent to which Schedule 2 Table 1 clause (a)(i) could benefit from a ‘qualifier’.</p> <p><i>No Comment</i></p>	<p>As noted above, after careful consideration, AMSA has decided that it will not be progressing with any further extension to the areas that can be surveyed by and meet the standards set by Class with these current changes to Marine Order 503.</p> <p>Similarly, AMSA has decided to not make any changes to ‘recognise’ vessels that are certified as meeting international conventions. However, AMSA will use the feedback received through this process to inform necessary changes with respect to Class when MO503 is next amended.</p> <p>Comment noted.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>(3) Whether, for Schedule 2, Table 1, Arrangement Accommodation and Personal Safety, NSCV C1 Chapters 1, 3 and 6 should only be triggered if there has been a change to the accommodation and/or crew numbers. • i.e. if a vessel has triggered because they installed a new engine, which is not relevant to accommodation and/or crew numbers, the obligation to now comply with NSCV C1 chapters 1, 3 and 6 would not be applied.</p> <p><i>From a survey point of view, it would be great if it did apply, but from the viewpoint of the operator it may be prohibitively expensive to comply and would ultimately prevent operators from upgrading their vessels to a more modern standard in any areas.</i></p>	<p>Comment noted. As outlined above, item 1 of schedule 2 has been amended.</p>
14.	Various	<p>Division 2</p> <p>6 (1)(c): Is this referring to the standard AMSA 901 form? Do AMSA want all documentation to be submitted by the owner?</p> <p>6 (1)(d): If the vessel carries equipment above and beyond what is required by the standard does this require a certificate of currency?</p> <p>Schedule 1</p> <p>1: Is this an "increase" in service category only? Please clarify "including the assignment of any additional service category". Does this mean a 1B vessel adding a 1D also triggers?</p>	<p>Thank you for your feedback. The intention is that the report is the form completed by the person that has conducted the surveyor and is not a separate form. However, as noted above, we have amended this condition so that it requires the owner to 'ensure' that the report is provided—rather than require that the owner must provide—noting the obligation under the National Law Regulations for accredited marine surveyors to provide reports to the National Regulator.</p> <p>The intention is that this requirement is limited to equipment that is required to be carried on the vessel. We have updated this provision to make this clearer.</p> <p>A definition of "service category" has been included. The meaning is the same as in in NSCV Part B. no – as the vessel will be operating in waters that are 'lower' than what the vessel is currently certified.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>6 (c),(d): A change in lightship and/or LCG should only result in review of stability and structure (if scantling draft exceeded). Typical vessel growth over time often exceeds 4% lightship. In line with Table 1, this results in raising handrails, install fixed fire, new stability book with updated Pax weight, new safety equipment.</p> <p>6 (e): Suggest that this is a percentage increase in windage rather than "any" increase.</p> <p>6 (f): Suggest that these modifications trigger the areas affected only. Must we update safety equipment and handrail heights if we move a winch 1m or remove a davit?</p> <p>8: There are potentially small changes here that have big implications such as installing a bollard, changing a light etc. In line with Table 1, this results in raising handrails, install fixed fire, new stability book with updated Pax weight, new safety equipment.</p> <p>Table 1 Construction (a) (ii) Does a certificate of survey suffice as documentation evidencing the design approval?</p> <p>Machinery (a) (ii) Does a certificate of survey suffice as documentation evidencing the design approval?</p>	<p>As noted above, we have amended item 1 of table 1 (arrangement, accommodation and personal safety)</p> <p>As noted above, we have decided to retain the windage clause without any percentage factor. Even though the USL may not have had windage requirements for some vessels, we consider it necessary for the applicant to demonstrate again/check they can comply with the USL after any changes.</p> <p>Comment noted. We note that this is the intent. We have however made changes to table 1 of schedule, as noted above.</p> <p>As noted above, we have amended item 8 of schedule 1 to clarify and rationalize the changes that will trigger.</p> <p>No that is not our intention. The intention is sufficient documentation to confirm design approval. Examples may include approved plans, certificates of compliance or letters of approval etc.</p> <p>No. Please see comment directly above.</p> <p>As noted above, we have amended item 8 of schedule 1 to clarify and rationalize the changes that will trigger.</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>Intact Stability (c) Suggest that increasing passenger weight and producing new stability booklet for minor changes detailed in Schedule 1 i.e. adding a bollard, is unreasonable.</p> <p>Specific Question Answers;</p> <p>Q1: Yes Q2: Yes, apart from specifics noted above Q3: More flexibility. Especially for transitional vessels making relatively small changes. In general, the NSCV should only be applied to the areas being directly affected.</p> <p>Q4: Yes Q5: See comments above Q6: See comments above Q7: (1) Class rules should be considered sufficient for all areas i.e. stability, subdivision, fire etc. Q7: (2) Agree that qualifiers should be used in line with dot point three. i.e. applies to vessel of certain size after an increase of certain percentage/number Q7: (3) Agree with this. Guardrail heights should not require increasing because a new engine is installed.</p>	<p>Comment noted. Comment noted. Comment noted. AMSA considers that the trigger points provided in the draft, in general, provide a sound balance and ensures that the alternative standards provide improved safety standards while reducing the overall burden for owners of existing and transitional vessels.</p> <p>Comment noted. Comment noted. Comment noted.</p> <p>Comment noted.</p> <p>Comment noted.</p>
15.	General	<p>Regarding Division 2, Requirements for certificates of survey, clause 3.2 (b) of the draft MO503 -2017</p> <p>Permitting a State or Territory Licensed Electrician to conduct DCV Electrical Surveys, without a transition plan to build the numbers of AMSA accredited electrical surveyors and transition the DCV fleet to being surveyed by AMSA accredited Electrical Surveyors, poses serious and ongoing elevated risk levels to the crews and passengers onboard DCVs.</p> <p>Elevation of risk levels due to Conflict of Interests and reliance on self-certification by State and Territory Licenced Electricians</p>	<p>Thank you for your feedback. Please note that the current Marine Order 503 allows for a person who holds an unrestricted electrical licence to conduct an electrical survey, in addition to an accredited marine surveyor accredited in the electrical categories. This has been the case since 1 September 2016.</p> <p>These proposed changes improve safety outcomes as they are limiting the kinds of electrical survey work that can be</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>In the normal course of a boat build a shipyard conducting the build cannot have one of its employees, who is an AMSA accredited surveyor, conduct the initial survey as this would present a conflict of interest situation, except apparently for the electrical systems of the build. The shipyard is free to use any of its licenced Electricians, under provisions in MO503, as the Conflict of Interest provisions in the National Law Regulations only apply to AMSA accredited Surveyors. Again, the above-mentioned legislated safeguard against possible conflicts of interest, is deficient, as there is a conflict of interest when a State or Territory licenced Electrician preforms an initial install, or a modification to an installation which increases the risk profile of the vessel, and they then certify their own work under allowable provisions in the current and draft MO503. A licenced electrician who is an accredited Marine Surveyor, undertaking electrical work onboard a vessel as an electrical contractor can then as an AMSA accredited Electrical Marine Surveyor, certify their own work. This however would be considered a conflict of interest as they could certify their work to a lesser standard. However, the existing and draft MO503 permits this exact situation for a State or Territory licenced Electrician who is not an AMSA accredited marine Surveyor.</p> <p>I raise this issue as [organisation] has surveyed a 3B vessel which was certified by an electrical contractor who had performed extensive electrical work. The survey revealed that the vessel's electrical system was so deficient in the safety afforded to the crew that the operator withdrew the vessel from service and the matter is now before the civil courts. However, on the strength of the State licenced Electrician certifying their own work, the vessel was issued an operating certificate and went to sea. Whilst electrical contractors certify their own work in land based installations, it is usually inspected by State based electrical authority and generally only for non-complex electrical work. More complex electrical installations can require engineering sign-off. Notwithstanding the above, on a risk based approach, occupiers of a land based installation can leave the installation if an incident occurs, are not subjected to the deleterious marine environment and generally have emergency response services available at short</p>	<p>performed by a person who is not accredited so that they cannot perform electrical survey for plan approval.</p> <p>AMSA also notes that the National Law places a number of broad general safety duties. This includes the duty under section 14 that requires a person who designs, commissions, constructs, manufactures, supplies, maintains, repairs or modifies a domestic commercial vessel to ensure that:</p> <ul style="list-style-type: none"> • the vessel is safe to be used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, maintained, repaired or modified (as the case may be), so far as is reasonably practicable; and • carry out or arrange for the carrying out of, testing and examination, or alternately, ensure that the testing and examination has been carried out.

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>notice. The risk levels associated with electrical installations onboard a vessel are significantly higher than that of comparable land based electrical installations and the application of a land based certification regime fails to adequately address the increase in identifiable risks. These risks are then compounded by the current and draft forms of the MO503 by permitting conflict of interests situation to be exempt from the normal provisions in the Maritime Safety (DCV) National Law Regulations as these provisions only apply to AMSA accredited Surveyors.</p> <p>Elevation of risk levels when relying on State or Territory Electrical Safety Inspectors</p> <p>It is interesting to note the safety deficiencies that arise when AMSA relies on a State or Territory’s electrical inspector to inspect an electrical installation onboard a DCV. The electrical inspection by State or Territory inspectors is likely to be undertaken from a purely electrical safety point of view, almost exclusively focus on standards applicable to land based installations and with little or no consideration to operational safety such as the need for:</p> <ul style="list-style-type: none"> • dual supply to navigation lights to avoid collisions at sea, • dual supplies to vital radio communications, • the requirement to have redundant means of starting the main propulsion, • remote shutdown of ventilation systems • plus numerous other marine electrical requirements not readily understood. <p>The failure to consider operational safety is a fundamental deficiency that directly jeopardises the safety of lives at sea and it would be remiss of me as an Electrical Engineer, Electrician and Marine Surveyor to not address this identifiable deficiency in electrical marine safety inspections to you as the as a safety regulator.</p> <p>Additionally [Organisation] understands that the above-mentioned vessel, that was withdrawn from service due to serious electrical defects that had previously been certified as compliant by the State licenced Electrician who did the</p>	

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>installation, was referred to the Tasmania Department of Justice for further investigation into unsafe electrical works. [Organisation] understands that the State based electrical inspectors, that AMSA relies upon to conduct electrical inspections, declined to inspect the defective electrical work. This incident alone serves to highlights the elevated risks and conflicts of interests that, in all likelihood, are played out or possible across all jurisdictions that AMSA has oversight of.</p> <p>Professional Indemnity (PI) and Public Liability (PL) Insurance AMSA correctly requires AMSA accredited Surveyors to have PI insurance as PL insurance does not cover marine survey activities or it severely limits the type of vessel that may be covered (e.g. it may cover a survey of a vessel up to 6 meters in length). Most State or Territory licenced Electricians will only have PL insurance and will effectively be uninsured in most cases when performing a marine survey. This exposes an AMSA accredited Surveyor and/or vessel owner who accepts a certificate of compliance from a State or Territory licenced Electrician (who conducts an electrical survey under the current and draft MO503), to a potentially detrimental financial position if an insurable event occurs.</p> <p>Summary Plainly the elevations in risk levels posed by the current and draft Marine Order 503 is an unintended consequence and has come about due to the lack of accredited electrical Surveyors at the commencement of the scheme and the desire of AMSA not to have the DCV fleet ‘shut down’ due to the inability to have a vessel’s mandatory electrical surveys performed. However allowing every State or Territory licenced Electrician to conduct surveys onboard DCVs is akin to allowing every State or Territory licenced Motor Mechanic to conduct mechanical/propulsion and hull surveys onboard DCVs but without the compliance regime and safeguards imposed on AMSA accredited Surveyors. Given that AMSA has the authority and responsibility to make and amend Marine Orders (reference https://www.amsa.gov.au/forms-and-publications/Fact-Sheets/MOFactSheet.pdf) ‘to ensure that legislation keeps up to date with technical and operational changes in maritime safety and</p>	

Comment No.	Provision	Industry comment / submission	Response to submission
		<p><i>environment protection</i>'. It would be desirable and prudent for AMSA to clearly indicate its intention to transition plan for the industry away from its reliance on un-accredited and, to a great extent, uninsured State and Territory licenced Electricians by building the capability of the AMSA accredited electrical survey sector and removing the effective exemptions afforded to State and Territory licenced Electricians from AMSA's mandatory requirement to;</p> <ul style="list-style-type: none"> • have sufficient knowledge of marine Standards/Laws/Regulations/Marin Orders, • be required to comply with the conflict of interests provisions in the Regulations, • be bound by mandatory report provisions, • be properly insured, • submit to auditing by AMSA and, • comply with safeguards imposed on AMSA accredited Surveyors <p>I trust this feedback will assist in improving the safety of the DCV fleet through the amendment to the draft Marine Order 503.</p>	
16.	Various	<p>MO 503 Review Comments:</p> <p>General Comments:</p> <ul style="list-style-type: none"> • Queensland vessels which were not required to hold a Certificate of Survey or be surveyed prior to 1st July 2013. How will these changes affect those vessels? This change will impact the majority of the Queensland fleet. <p>• I find this updated version extremely confusing and difficult to understand. The amount of further documentation it references is massive!!</p>	<p>Thank you for your feedback. These vessels would be exempt from the requirement to have a certificate of survey under division 5 of Marine Safety (certificates of survey) Exemption 2017 so would not be required to comply or meet the standards in Marine Order 503. Vessels exempt under division 5 of EX02 must, as a condition of exemption, continue to meet the design, construction and equipment standards that applied to the vessel on 30 June 2013 (among other conditions).</p> <p>Comment noted. The draft Marine Order 503 refers to the various clauses and Parts of the NSCV and USL. Both the USL and NSCV are 'called up' under the current Marine Order 503; however, citing specific clauses of the NSCV and USL has been necessary to ensure that only the relevant clauses/sections of the NSCV and USL are made</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<ul style="list-style-type: none"> • It would to me make sense that a specific change may trigger specific provisions of a new vessel for that specific change but that change should not trigger new vessel provisions for all systems/standards for operation of the vessel in its entirety. It would be much easier and cost effective in my opinion for an operator to only need to comply to the standard directly impacted by the change not the entire vessel. Perhaps this is the intent of the document, however it isn't very clear if it is. • Schedule 1 changes, things like changing one type of extinguisher for a different type or changing a light fitting from an older type to a more energy efficient one, to trigger provisions of a new vessel for this seems over the top! <p>Question 1: I'm still struggling to understand the technical specs in the amended 503. To me it is still not clear if the changes listed trigger a new vessel in its entirety or just the part for which the change has occurred, IE: a change to Fire Fighting Equipment or a light fitting then that is the only thing that would be required to comply with the new vessel standard. Table 1 is very confusing and to further comprehend due to the large number of standards referenced. I think operators will struggle with this. It needs to be made clearer.</p> <p>Question2: I didn't have enough time to benchmark so I cannot comment on whether they are appropriate.</p> <p>Question 3: There should be more flexibility in relation to the standards. The greater the flexibility the better the level of compliance. In my opinion AMSA would want this to be something that encourages owners to invest in their</p>	<p>mandatory for transitional vessels. We will try and provide greater clarity to how the order operates in guidance material and AMSA's technical instructions.</p> <p>Yes this broadly the intent. In specifying the alternative standards for transitional vessels, we have tried to limit then to only address the areas affected by the change. As noted above, we will consider providing greater clarity and explanation around why the particular standards/clauses have been selected.</p> <p>Comment noted. As outlined above, we have amended item (8) of schedule 1 to clarify and rationalise this trigger.</p> <p>An existing vessel that is affected by an event set out in schedule 1 becomes a 'transitional vessel'. The consequence of this is that an owner of a transitional vessel needs to ensure that the vessel meets the standards set out in schedule 2 or alternatively can voluntarily opt to meet the 'new vessel' standards i.e comply fully with the NSCV. Without the alternative standards in schedule 2, these kinds of vessels would need to meet the new vessel standards in their entirety.</p> <p>Comment noted.</p> <p>Comment noted. AMSA considers that the trigger points provided in the draft, in general, provide a sound balance and ensures that the alternative standards provide</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>vessels and improve their fleet with the end goal being a safer and more compliant vessel.</p> <p>Question 4: I find the document difficult to read weighed down by a significant amount of reference to other standards and legislation. I understand the need for this but just not sure how better it could be presented.</p> <p>Question 5: Sorry I don't, but if you could find a way to put it in to a table or flow chart in relations to what standard applied to what change that would be good!</p> <p>Question 6: Yes, further clarifying of what requirements need to be met. IE ALL items in table 1 apply for an increase in passenger numbers, or a change in operating area or a change to the lighting system? It is not clear whether it is just the standard applying to the change or standards applying to the entire vessel.</p> <p>Questions 7 (1): No position on this, but if Class Rules deliver an equal or better outcome then there should be no issue. It may assist operators/industry overtime to be able to on sell their vessels overseas when they are finished with them if domestically built to class.</p> <p>(2) Percentage is probably the easiest and fairest way to achieve this in my opinion.</p> <p>(3) Agree: should only be triggered if there is a change to the accommodation /or crew numbers.</p>	<p>improved safety standards while reducing the overall burden for owners of existing and transitional vessels.</p> <p>Comment noted.</p> <p>It is not possible to include flow charts (or similar) into legislative instruments. However, we will most certainly ensure that general guidance is published on the AMSA website, and in addition to AMSA's technical instructions and other guidance to accredited marine surveyors. The intention is also to further expand the My Boat application to provide guidance on standards to be applied for 'transitional vessels'.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted.</p> <p>Comment noted. As noted above, we have made changes to item 1 of schedule 2.</p>

Comment No.	Provision	Industry comment / submission		Response to submission									
17.	Various	<table border="1"> <thead> <tr> <th data-bbox="459 268 710 448">Reference (Number of Section, Clause, Table, Figure, Issue etc)</th> <th data-bbox="710 268 1404 448">Comments (include the reasons for any change to assist AMSA in understanding your concerns)</th> </tr> </thead> <tbody> <tr> <td data-bbox="459 448 710 810">Division 2, section 3 (1) (b) (iii)</td> <td data-bbox="710 448 1404 810">A recognised organisation (class) should not be involved in any Domestic Commercial Vessel survey other than categories a,b,c, g, h, l, j. Private marine surveyors have gone to considerable expense meeting the requirements for accreditation. Class Societies should not undertake the survey categories l,m,n,o,p Please see attached document related to electrical surveys. **AMSA comment: This document is at Appendix A**</td> </tr> <tr> <td data-bbox="459 810 710 1134">Division 2, section 3 (2) (3)</td> <td data-bbox="710 810 1404 1134"></td> </tr> <tr> <td data-bbox="459 1134 710 1414">Division 2, section 4 (5)</td> <td data-bbox="710 1134 1404 1414">All vessels should be surveyed in accordance with the NSCV and not to Class rules to ensure consistency under the national law. Consumers should be provided with certainty in regard to the standards that their vessel will be surveyed against. The notion that a registered organisation may survey a vessel against differing standards is counterintuitive to implementing national standards.</td> </tr> <tr> <td data-bbox="459 1414 710 1420">Division 2, section 7 (a)</td> <td data-bbox="710 1414 1404 1420">The [organisation] considers the appropriate timeframe for a vessel survey is under 5 years – 3 years would be more appropriate</td> </tr> </tbody> </table>	Reference (Number of Section, Clause, Table, Figure, Issue etc)	Comments (include the reasons for any change to assist AMSA in understanding your concerns)	Division 2, section 3 (1) (b) (iii)	A recognised organisation (class) should not be involved in any Domestic Commercial Vessel survey other than categories a,b,c, g, h, l, j. Private marine surveyors have gone to considerable expense meeting the requirements for accreditation. Class Societies should not undertake the survey categories l,m,n,o,p Please see attached document related to electrical surveys. **AMSA comment: This document is at Appendix A**	Division 2, section 3 (2) (3)		Division 2, section 4 (5)	All vessels should be surveyed in accordance with the NSCV and not to Class rules to ensure consistency under the national law. Consumers should be provided with certainty in regard to the standards that their vessel will be surveyed against. The notion that a registered organisation may survey a vessel against differing standards is counterintuitive to implementing national standards.	Division 2, section 7 (a)	The [organisation] considers the appropriate timeframe for a vessel survey is under 5 years – 3 years would be more appropriate	<p>Comment noted. As noted above, we have decided to not further extend the areas that class can survey. We do note however that under NSCV, vessels that are over 35m have to be in class anyway until now. Furthermore, NSCV Part B, as in force now, allows people to opt into Class too.</p> <p>Comment noted. As noted above, the current NSCV already requires some vessels to be surveyed by class, and additionally, allows for opting in to class.</p> <p>Section 7(a) sets the timeframe for a certificate of survey and not the frequency for survey. The frequency of survey will either be that set out in NSAMS 4 (for 'new vessels') or the frequency as per the survey process that applied to the vessel prior to 30 June 2013 (for 'existing vessels').</p>
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Comment No.	Provision	Industry comment / submission		Response to submission	
		Division 3, section 8	Reference is made to the owner of the vessel. The [organisation] believes that this section should be amended to read “by the owner of the vessel, or, their appointed accredited marine surveyor”	AMSA can accept applications, including applications for a certificate of survey, from persons who are authorised to act for an owner including accredited marine surveyors (among other persons authorised by the owner). For that reason, we do not propose to amend this section as suggested.	
		Division 3, section 10 (1) (a)	As Above	As noted above though it may be unusual for a person other than an owner to apply for a suspension of a certificate of survey for the vessel.	
		Division 3, section 12 (1) (a)	As Above	As noted above.	
		Division 5, section 17 (1)	Unrestricted electrical license – please see attached document ***This document is at Appendix A.	Thank you for providing this summary.	
		Schedule 1 Vessel Changes, point 2	The original intent of the national system was to allow that a vessel should be surveyed against its class as per its CoO not limited to its geographical location	Thank you for your comment.	
		Responses to Specific Questions:			
		Question	Comments		
		Q1.	<p>Yes. However, amendments are required. Section 3 - Paragraph 4: The word "conducted" needs to be added after the words "must be", also change the word "the" to "that" after "does not need to be in accordance with the document:"</p> <p>Section 5 – In subparagraph (2)(b)(i) and (ii), both talk about the equivalent means of compliance(EMOC) not replacing the requirement or standard. My</p>	<p>This has been updated.</p> <p>This provision has been revised to provide greater clarity around EMOCs and the criteria that must be satisfied for</p>	

Comment No.	Provision	Industry comment / submission		Response to submission
			understanding of a EMOC is that an EMOC does replace a requirement or standard having been reviewed and approved by AMSA as not being of a lesser requirement or standard. This section is somewhat confusing.	the National Regulator to approve an EMOC. However, as noted above an EMOC against the NSCV replaces the deemed-to-satisfy solution set out in the respective NSCV Part.
		Q2.	Yes.	Comment noted.
		Q3.	<p>Flexibility is not the issue, the priority should be absolute clarity around what standard is to be used and wherever possible no possibility of misinterpretation or differing interpretations by surveyors.</p> <p>Section 18, subsection (3), appears to imply that a vessel can still be surveyed by a surveyor up to 2 years after the certificate has expired without the need to re-survey the vessel against the standard that applied at the time</p>	<p>Comment noted. We will provide greater clarity to how the order operates in guidance material and AMSA's technical instructions so any matters which may be considered ambiguous are clarified.</p> <p>This has been updated. That is correct. If the vessel has been out of operation for more than 2 years then it is a transitional vessel. It then needs to meet the standards in schedule 2 or the 'new vessel' standards in section 5.</p>
		Q4 - 6	Agreed with no specific suggestions	Comment noted.
		Q7 – (1)	The extent to which Class Rules can be applied to a DCV, as per section 4(5) should be allowed where the Registered Organisation (RO) should be required to prove that their rules meet the requirements of the NSCV and not be given automatic license to apply their rules without scrutiny. By making sure the RO's rules are in line with NSCV, then any vessels surveyed by a non-RO surveyor in the future will not need to be re-assessed by that surveyor if something on the vessel is not correct.	Comment noted.
		Q7 – (2)	The extent to which Schedule 2 Table 2 clause (a)(i) could benefit from a "qualifier": The requirements for berthed passengers; toilets, showers, floor space per	As noted in the synopsis of feedback above, after careful consideration, AMSA has decided to retain the clause as is

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>passenger etc. would need to be maintained. It would be difficult to see how a vessel designed to accommodate a defined number of passengers in berths could increase that number without compromising on any of these requirements</p>	<p>relating to increases in passengers, additional berths, class 1 operations etc. AMSA considers that the standards set out in this clause are practicable for the vast majority of instances, and where it is not, an owner may apply to the National Regulator for a specific exemption.</p> <p>As noted above, we have made changes to item 1 of schedule 2.</p> <p>Comment noted. We have revised clause 1.6 from NSCV Part B to make the intention clearer with respect to EMOCs, as noted above.</p>
		<p>Q7 – (3)</p> <p>The following list are the chapters of NSCV C1; Ch 1 – Preliminary, Ch3 – Provision for Navigation Lights and Ch 6 – Personal Safety. Schedule 1 Clause 1 – upgrade of service category, Clause 2 – operations outside the geographical area, Clause 3 – commence carrying dangerous goods, Clause 4 –commences overnight operations with overnight accommodation, Clause 5 - increase in pax numbers and Clause 6 – any changes that effect berths, propulsion, stability etc. are those that will trigger Table 1 in Schedule 2. Ch 1 and 3 of C1 are difficult to prescribe to an increase in passengers/accommodation. Ch 6 is personal safety and needs to be considered in light of what is being increase/changed. The number of areas covered in Ch 6 is extensive and any increase in the accommodation or crew numbers should be evaluated against Ch 6 and those areas that are effected need to be changed</p>	
		<p>Noted.8. Clarification of EMOC requirements</p> <p>In the current versions of MO503-2013 ad NSCV Part B, the word “may” is used in reference to applications for EMOCs. The word “may” in a legal sense, allows the owner/operator to decide if they will comply with that section of the Marine Order or Part B. If the word “may” is changed to “must” or “shall”, then the owner/operator is required to make an application if they want the EMOC to be successful and be able legally make the change</p>	

Comment No.	Provision	Industry comment / submission	Response to submission
18.	General	<p>AMSA Regulation of Marine Electrical Surveys Onboard Domestic Commercial Vessels – A comparison between AMSA Accredited Electrical Surveyors and State or Territory Licenced Electricians compliance and qualification regimes</p> <p>The current and draft Marine Order 503 (MO503) authorises AMSA accredited Electrical Surveyors and State & Territory licenced Electricians to undertake electrical surveys onboard Domestic Commercial Vessels (DCVs) for systems operating at <i>Extra Low voltages to High Voltage</i> (exceeding 1000 volts). Compliance regimes can seek to solicit compliance with standards through; education, sanctions, restrictions, suspensions, summary penalties and prosecution, and form a vital role in ensuring a high-quality application of AMSA safety standards. The following comparison table identifies the difference in compliance regimes and qualifications AMSA applies to an AMSA accredited Electrical Surveyor and the State or Territory licenced Electrician. The comparison table identifies that there is little correlation between the compliance regime for an AMSA accredited Surveyors and that used for the State or Territory licenced Electrician. Among other things, of particular interest is that the current and draft MO503 appear to allow a State or Territory licensed Electrician to conduct a marine electrical survey while;</p> <ol style="list-style-type: none"> 1. Not having any marine experience 2. Not being bound by the <i>Conflict of Interest</i> provisions of the <i>Marine Safety (DCV) National Law Regulations 2013</i> 3. Not requiring a demonstration of knowledge as to what standards to be applied to a survey 4. Not be bound by <i>Mandatory Reporting</i> provisions of the <i>Marine Safety (DCV) National Law Regulations 2013</i> 5. Not have the appropriate insurance for marine survey work 	<p>Thank you for your feedback. Please note that the current Marine Order 503 allows for a person who holds an unrestricted electrical licence to conduct an electrical survey, in addition to an accredited marine surveyor accredited in the electrical categories. This has been the case since 1 September 2016.</p> <p>These proposed changes improve safety outcomes as they are limiting the kinds of electrical survey work that can be performed by a person who is not accredited so that they cannot perform electrical survey for <i>plan approval</i>.</p> <p>AMSA also notes that the National Law places a number of broad general safety duties. This includes the duty under section 14 that requires a person who designs, commissions, constructs, manufactures, supplies, maintains, repairs or modifies a domestic commercial vessel to ensure that:</p> <ul style="list-style-type: none"> • The vessel is safe to be used for a purpose for which it was designed, commissioned, constructed, manufactured, supplied, maintained, repaired or modified (as the case may be), so far as is reasonably practicable; and

Comment No.	Provision	Industry comment / submission	Response to submission
		<p>It should be noted that while AMSA may have a general legislated authority or seek a Court order to compel an Electrician or entity to perform an act in relation to DCVs, reliance on these instruments highlights an immature compliance regime for electrical surveys conducted by State and Territory licenced Electricians. Such a compliance approach contrasts very poorly when compared to that used for AMSA’s own accredited surveyors. The use of a general legislated authority or Court order would also be a reactive approach to essentially what are well-known safety issues where the application of retrospectivity would also complicate compliance from State and Territory licenced Electricians. Additionally, apart from prohibiting a particular Electrician from conducting a survey, the only other compliance tool available to AMSA when dealing with a State or Territory licenced Electrician is the heavy-handed approach of prosecution, a path, it is assumed, AMSA is unlikely to follow for anything but the most serious of infringements.</p>	<ul style="list-style-type: none"> carry out or arrange for the carrying out of, testing and examination, or alternately, ensure that the testing and examination has been carried out.
19.	Various	<p>Do you find it easy to understand the technical specifications in amended MO503?</p> <p><i>The technical specifications are understandable to technical experts, although it is not easy. To average person and to less highly resourced operators it may still be extremely difficult to fully comprehend. Much of the confusion is generated by the confluence of various aspects of the Codes i.e NSCV and USL and parts of USL being incorporated into the current National Law. If the NSCV code were written as a consolidated code that was renamed as complete consolidated version and published such that the USL elements ceased to exist, that would be much simpler to understand. It is at least good that this document outlines what elements of which code are applicable at this time. But going forward there is room for much improvement and streamlining.</i></p> <p>Do you think the technical specifications in amended MO503 are appropriate in relation to ‘existing vessels’, ‘new vessels’ and ‘transitional vessels’?</p> <p><i>The definition of an existing vessel still does not fully define how vessels that were not in survey during the 2 years before 30th June are defined. But may have been in survey prior to that time and are able to operate under state law or other mechanism. Further the definition of, “entitled to operate” is not clear. How can</i></p>	<p>Thank you for your feedback. Comments noted.</p> <p>Comments noted. As explained above, we have amended the definition of ‘existing vessel’ to give greater clarity as to what was intended. This includes clarifying that the vessel needed to be authorised to operate under an</p>

Comment No.	Provision	Industry comment / submission	Response to submission
		<p><i>this be proven? Again in 18 (1) (b) & (c) "intended for use," is not defined and will be hard to prove?</i></p> <p>Do you think there should be more flexibility or less flexibility in relation to the standards that apply to DCVs through amended MO503? <i>Less flexibility will drive the standards of the vessels higher and make it necessary for companies and vessels to invest and upgrade. In turn this should raise the level of safety and reliability of vessels which is a desirable outcome.</i></p> <p>Do you like the presentation of the proposed amended MO503? Is it easy to read? <i>There are still too many cross references within the document, for it to be easy to read. Normally the definitions and interpretations are at the beginning of the document and that is where one expects to find them and looks for them. If it is not standardised across all documents as to where they are to be found, it is just confusing.</i></p> <p>Do you have any specific suggestions to improve MO503 from a technical and/or presentation perspective? <i>Given the numbers of categories of items that will be triggers and the requirement that on each and every change there will be a trigger, makes this a potentially administrative very arduous policy. The resource requirement for an operator to recognise these changes and make the required application will be heavy. It will also be incumbent upon AMSA to appropriate adequate resources and administrative function to fulfil the added submissions in a timely manner,</i></p>	<p>Australian State, Territory or Commonwealth law to operate commercially, and also that the vessel must not have been a 'foreign vessel'.</p> <p>Comment noted. We consider that the trigger points provided in the draft, in general, provide a sound balance and ensures that the alternative standards provide improved safety standards while reducing the overall burden for owners of existing and transitional vessels.</p> <p>Comments noted. However, we consider it necessary to include the specific references to the specific clauses—particularly in schedule 2—for accuracy and to ensure that only those clauses in the respective NSCV Part are 'picked up'. Without this level of specificity, the entire NSCV Part would need to be complied with (rather than the specific clause or Sub - section). We will ensure that clear and user friendly guidance is published to support the changes.</p> <p>Comment noted. AMSA is aware of the considerations and is confident it will be able accommodate and provide timely service to the DCV industry and also to provide any necessary instructions and guidance to accredited marine surveyors.</p>

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		<p><i>especially if there is an immediate revocation of certificates of survey for any change as stated in the scheduled.</i></p> <p>Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503? <i>The current proposal does not deal adequately with Classed vessels. The role of Classification Society in the survey and their ability to determine and approve changes to the vessel as per the Schedules, in accordance with their rules and how that is factored into the requirements for the regulator to issue certification and status as transitional vessel. Ie. Under the schedule if a vessel has changes or upgrades to a part, system, structure of equipment that, follows the approval process of Class, how does that affect it's status as a transitional vessel and the requirement for suspension of certificate of survey.</i></p> <p>(1) The extent to which Class Rules can be applied to a DCV, as per section 4(5). <i>Preference is for Class rules to be applied as per:</i></p> <ul style="list-style-type: none"> • <i>the construction, machinery, subdivision, stability and electrical aspects of the vessel</i> <p><i>Preference is that for a vessel that fully complies with international conventions should be fully accepted.</i></p> <p>Additionally, AMSA is seeking industry comment on whether, and the extent to which, compliance with international conventions (certificated by the Recognised Organisation) should be accepted in lieu of applicable standards for "other areas" (fire protection, stability, subdivision etc), as per section 4(5)(b).</p> <p>(2) The extent to which Schedule 2 Table 1 clause (a)(i) could benefit from a 'qualifier'. <i>No comment</i></p> <p>(3) Whether, for Schedule 2, Table 1, Arrangement Accommodation and Personal Safety, NSCV C1 Chapters 1, 3 and 6 should only be triggered if there</p>	<p>Comment noted. We will shortly be publishing tailored guidance on the changes to Marine Order 503. We will ensure that this guidance also includes a basic overview with respect to vessels that are surveyed by Class.</p> <p>As outlined above, after careful consideration, AMSA has decided that it will not, at this time, be progressing with any further extension to the areas that can be surveyed by and meet the standards set by Class with these current changes to Marine Order 503. Similarly, AMSA has decided to not make any changes to 'recognise' vessels that are certified as meeting international conventions.</p> <p>Comment noted.</p>

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		<p>has been a change to the accommodation and/or crew numbers. • i.e. if a vessel has triggered because they installed a new engine, which is not relevant to accommodation and/or crew numbers, the obligation to now comply with NSCV C1 chapters 1, 3 and 6 would not be applied.</p> <p><i>Preference is that a change in a particular area should only trigger for that specific part.</i></p>	<p>Comment noted. Our view is that a balanced outcome is being achieved with respect to the circumstances where the vessel will trigger and standards to be applied.</p>
20.	General	<p>[Organisation] strongly supports the intent behind these changes and we are aware that some members have experienced hardship as a result of current provisions relating to grandfathered vessels. The proposed introduction of a transitional vessel category strikes a much needed balance.</p>	<p>Thank you for your feedback and taking the time to comment on the proposed changes to Marine Order 503.</p>
21.	3(3)(b)	<ul style="list-style-type: none"> • New section 3(3)(b) – should this 2 year out of survey period trigger also apply to paragraphs 3(1)(b) and (c) ie for vessels under construction on 30 June 2013 or 30 June 2016 that may have been built to a survey standard but may subsequently not have been used commercially or have a period of 2 years or more out of commercial use. • I find the subsections relating to EMOCs complex – can't the application of an EMOC and its effect on the survey schedule/standard be contained in Division 4 rather than being repeated in ss7 and 8 of Division 2? • Under Schedule 2 fire safety it requires all vessels to fit a fixed fire detection and extinguishing system but I don't believe all vessels are required to install such systems under NSCV C4. Under electrical the electrical standard that applies to the vessel should be included. 	<p>Thank you for your feedback. That is correct – section 18(2) (b) of MO503 provides that an existing vessel is taken to be a transitional vessel if the vessel's certificate of survey has ceased to be in force for a period of at least 2 years.</p> <p>As noted above we have made minor changes to clarify the provisions relating to the criteria etc for the approval of an EMOC in Division 4. While we would like to be able simplify the provisions further, we think it is necessary to explain how having an approved EMOC interacts/ recognised for the purposes of whether a vessel has meet the required standards for the issue of a certificate of survey. These provisions are only relevant for owners of DCVs that have, or are intended on obtaining, an approved EMOC, and therefore may not need to be considered by the majority of owners of DCVs required to have a certificate of survey.</p>
22.	Table 1, schedule 1	<p>The fire section should reference USL section 11 as well as section 5.</p>	<p>Thank you for your feedback. Subparagraph (a)(i) of the "Fire safety" item, table 1, schedule 2 has been amended so it now refers to USL Section 11 in addition to USL Section 5.</p>

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		<p>Fire section - We have said that if you have a vessel and make a change - however the fire risk category does not change - then you can apply USL. A recent SPEX application has highlighted that there is an un-intended consequence to this. You can go from class 2B to 1C with up to 36 passengers without triggering C4. Have discussed and this was not our intent from a tech perspective. Suggest changing the criteria slightly so that it is No change in fire risk category & no increase in passenger numbers</p>	<p>Subparagraph (a) of the “Fire safety” item, table 1, schedule 2 has been amended so that it also requires that there be no increase to passenger numbers.</p>
23.	General	<p>I understand that this response to the proposed changes to MO 503 have come after the official consultation deadline, however given significant demands on my time, several significant submission deadlines during September and October and recently taken, much needed annual leave, I was unable to provide a response within the provided timeframe. I did discuss concerns with the AMSA industry liaison officer in [state], which I hope have filtered through to the official process. After reviewing MO 503, and discussion with two state based AMSA Industry Liaison Officers, I am non-the-wiser as to how the proposed transitional arrangements detailed in MO 503 will operate and potentially impact Tasmanian seafood operators. Thinking that it may just be me, I discussed my confusion with two marine surveyors, the [state] maritime regulator and two other State peak body CEOs, to find out that I was not the only one confused by the document provided.</p> <p>In theory, the high level concept of a ‘transitional’ vessel is sound, but we all know that the devil is always in the detail, and that detail is complex, legal jargon which is difficult for me to understand. Furthermore, MO 503 makes reference to other parts of the NSCV, which when taken together means that the full amount of reading required is quite substantial. I fail to understand how AMSA would expect the commercial fishing / seafood audience to comprehend what MO 503 means for their operations. AMSA industry liaison officers were not able to enlighten me regarding my concerns, but instead agreed it was complex and difficult to understand and interpret. At this point</p>	<p>Thank you for your feedback. Marine Orders are legislative instruments and so must meet certain requirements in their drafting. Recognising that this can make them difficult for industry to understand, we are increasingly focusing on our explanatory material to help communicate those changes. These changes to MO 503 were driven by industry as it sought:</p> <ul style="list-style-type: none"> - greater specificity as to what changes would result in a vessel ‘triggering’ the ‘new vessel’ provisions; and - greater flexibility as to the standards that a vessel could meet if it did ‘trigger’ (that is, not just the National Standard for Commercial Vessels (NSCV)). This led to the concept of the ‘transitional vessel’. <p>We are confident that the draft amendments to MO 503 has delivered on these imperatives. However, we recognise the need to ensure the changes are clearly communicated to and understood by our industry stakeholders.</p> <p>In relation to the supporting material produced to support the proposed changes to MO 503, feedback from the Advisory Committees was incorporated into the material produced. Specifically we highlighted who the proposed</p>

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		<p>in time, all I can tell my members is that if you change your area of operation or modify your vessel, I am uncertain what you are required to do!</p> <p>2) Grandfather Clause It would appear from the content of MO 503 that AMSA are looking at eliminating all grandfathering arrangements. This does not sit well with Tasmanian operators who have been told on many occasions that they will continue to be able to operate exactly how they have in the past, with no additional impost. This has certainly not been the case. Should grandfathering arrangements be removed or significantly tightened, [organisation] members fear that the capital value of their vessels, which are often their 'superannuation' scheme, will be greatly diminished. The Tasmanian seafood industry needs certainty from AMSA concerning grandfathering arrangements and the operational details of MO 503.</p>	<p>change would affect, the key changes being proposed, the reasons for making the changes and included specific questions for industry consideration.</p> <p>Additionally, we provided two flowcharts to assist understanding the proposed changes. AMSA received very positive feedback on this initiative and we will publish these charts for reference when the changes are implemented.</p> <p>The intention of the proposed changes to MO 503 is not to eliminate grandfathering of vessel standards. As is the case now, an existing vessel that does not 'trigger' may continue to comply with pre-1 July 2013 standards. This is not altered by the changes to MO 503. Rather, the proposed amendments were driven by industry as it sought clarification as to when changes to a vessel or its operation would mean that it would be a new vessel required to comply with the contemporary standards. Further, while a vessel that did any of these things would currently become a 'new vessel' under the current MO 503, the 'transitional vessel' concept allows for compliance with a range of different standards that are appropriately calibrated to the nature of the change. Feedback has indicated that this is a positive move that may counter the inclination of grandfathered vessel owners not to make necessary safety upgrades or modifications to their vessels for fear of their vessel being treated as a 'new vessel'.</p>
24.	General	1) Marine Order 503	Thank you for your feedback. As noted above, Marine Orders are legislative instruments and so must meet certain requirements in their drafting. Recognising that

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		<p>I was recently provided with the current Marine Order 503 consultation process and it has raised some overall concerns regarding consultation, including:</p> <ul style="list-style-type: none"> • The process is in no way consultation. It appears to be written in a way that is almost guaranteed to confuse the reader. • The text is complex and written more for a technical vessel safety audience rather than a commercial industry audience. • References that are made would take many hours of searching AMSA documents by the reader to fully understand AMSA’s intention. • Why is the consultation period so short and in some cases an implementation date is set regardless, it appears, without any results of the consultation? • Do AMSA industry liaison officers have a role in the consultation process? If so, did they contact industry groups to work on the information needed by the regulator? 	<p>this can make them difficult for industry to understand, we are increasingly focusing on our explanatory material to help communicate those changes.</p>

Appendix A

AMSA Regulation of Marine Electrical Surveys Onboard Domestic Commercial Vessels Comparison between AMSA Accredited Electrical Surveyors and State or Territory Licenced Electricians							
AMSA MARINE ELECTRICAL SURVEYOR ACCREDITATION FRAMEWORK				AMSA MARINE ELECTRICAL SURVEYOR REQUIREMENTS		ELECTRICIAN REQUIREMENTS	
Legislation Regulation	Section	Clause	AMSA Requirement	Required to comply	Description	Required to comply	Description
Division 3.2 Accreditation	22		Application accreditation for				
		(3) (c)	Supply work experience	YES	Supply documents with application to support application	NOT REQUIRED	AMSA appears to have no legislative authority to pre-qualify Electricians to undertake Electrical Survey work on DCVs apart from the Electrician holding a valid electrical license from any State or Territory however described
		(3) (d)	Supply Certified Copy Qualifications	YES		NOT REQUIRED	
		(3) (e)	Evidence of continuing CPD	YES		NOT REQUIRED	
		(3) (f)	2 Professional referees	YES		NOT REQUIRED	
		(3) [ii]	Supply evidence of ISO 9001:2008 compliance or similar system	YES		NOT REQUIRED	

		(3) [iii]	Supply copy of current Professional Indemnity (PI) insurance or quotation for PI insurance	YES		NOT REQUI RED	
		(3) [iv]	Declaration / suspensions or Cancellation	YES		NOT REQUI RED	
	23		Witness survey or attend interview				
		(1) (b)	AMSA may require an applicant to preform a survey witnessed by AMSA	YES	If requested by AMSA, an applicant is required to preform a survey witnessed by AMSA	NOT REQUI RED	AMSA appears to have no legislative authority to require a State or Territory licenced Electrician to preform any act or attend any interview. The current and draft MO503 prequalifies EVERY State and Territory licences Electrician to preform electrical surveys of DCVs.
		(1) (c)	AMSA may require an applicant to attend an interview	YES	If requested by AMSA, an applicant is required to attend a personal interview which may extend to a period of 3 Hrs	NOT REQUI RED	
	25		Issue accreditation				
		(1) (a)	Demonstrate capabilities, experience and qualifications to perform marine electrical	YES	Demonstrated through provision of trade qualifications, work history, referees	NOT REQUI RED	The current and draft MO503 prequalifies EVERY State and Territory licences Electrician to preform electrical surveys of DCVs
		(1) (b) (i)	Demonstrate Knowledge	YES			

	(1) (b) (ii)	Demonstrate Knowledge of professional and technical matters	YES	and questioned answered during personal interview	NOT REQUI RED	regardless of an inability to to comply with this section
	(1) (b) (iii)	Demonstrate Professional ethical standards	YES	Answer questions in interview	NOT REQUI RED	The current and draft MO503 prequalifies EVERY State and Territory licences Electrician to preform electrical surveys of DCVs regardless of an inability to to comply with this section
	(1) (c)	Commit to ongoing CPD	YES	Attend Surveyors conferences	NOT REQUI RED	
	(1) (d) (i)	Capable of performing Electrical survey to (NSAMS) will conducting periodic Survey	YES	Understand and apply standard	NOT REQUI RED	
	(1) (d) (ii)	Supply Relevant qualification for electrical work for state or territory	YES	Supply Relevant qualification for electrical work for State or Territory jurisdiction	YES	
		Appropriate capabilities				
	(2) (a)	Conduct surveys under ISO 9001:2008	YES	Supply a copy of ISO 9001 certification or similar system	NOT REQUI RED	AMSA does not require an Electrician to have Professional Indemnity insurance, or be a member of a maritime organisation, or undertake to conduct surveys within an ISO 9001 framework or provide references from peers
	(2) (b)	Obtain and hold PI insurance	YES	Supply a Certificate Of Currency for a suitable PI insurance policy	NOT REQUI RED	
	(2) (c)	Be a member of maritime organisation	YES	Supply membership details to AMSA	NOT REQUI RED	

		(2) (d)	Obtain references from peers	YES	Supply referee's to AMSA	NOT REQUI RED	
			Appropriate Experience				
		(2) (a)	Design experience and/or	YES	Provide evidence of compliance through interview and/or documentation of work history and qualifications	NOT REQUI RED	AMSA does not require an Electrician conducting an electrical survey of a DCV to have ANY marine experience whatsoever
		(2) (b)	5 Years experience as marine surveyor and/or	YES		NOT REQUI RED	
		(2) (c)	Experience in Marine construction and/or	YES		NOT REQUI RED	
		(2) (d)	Sea going experience	YES		NOT REQUI RED	
			Appropriate Qualification				
		(2) (b)	Qualifications to be supplied	YES	Supply Relevant qualification for electrical work for State or Territory jurisdiction	YES	Supply Relevant qualification for electrical work for State or Territory jurisdiction
	28		Renewal accreditation	of			

		(1) (b)	AMSA to determine if a Surveyor has maintained professional competency and audits of the Surveyor have been satisfactory	YES		NOT REQUI RED	AMSA appears to have no legislative authority to regulate a State or Territory licensed Electrician's licence. Additionally, AMSA currently has no authority to levy fees on a State or Territory licenced electrician
		(2) (b) [i]	Submit renewal 3 months before expiry	YES	Renew accreditation before lapsing	NOT REQUI RED	
		(2) (c)	Application fee	YES	Pay required renewal fee (initial application fee is \$1,390 + indexation)	NOT REQUI RED	
Division 3.3 Condition of accreditation	32		Standards to be met				
		(a)	NSCV standards	YES	An AMSA accredited Surveyor is required to understand and correctly apply; the <i>NSCV, USL, Marine Orders, Maritime National Law and Regulations</i> to any DCV regardless of the vessels status being Grandfathered or Transitioning or New Vessel	YES	It is extremely unlikely that the vast majority of State or Territory licenced Electrician are cognisant of the <i>NSCV, USL, Marine Orders, Maritime National Law and Regulations</i> or which standards to apply to a DCV regarding, Grandfathered/Transitioning/New vessel status
		(b)	Uniform Shipping Laws code	YES		YES	
		(c)	NSAMS	YES		YES	
		(d)	Marine orders	YES		YES	
		Note 1	Apply MO 503	YES		YES	
		Note2	Vessel may come under NSCV or USL Code	YES		YES	
		Reports to AMSA					
	33	(2) (a)	Mandatory reporting of	YES	Mandatory		

		(2) (b)	Mandatory report obligations of suspected defects that are outside the Surveyor's accredited area of expertise	YES	Complete Surveys and send report to AMSA	NOT REQUI RED	AMSA appears to have no legislative authority to compel a State or Territory licensed Electrician to make any report on any matter whatsoever to AMSA
	35		Provide information to AMSA				
		(a)	In writing and in an appropriate form under Section 46	YES	Mandatory	NOT REQUI RED	AMSA appears to have no legislative authority to compel a State or Territory licensed Electrician to make any report on any matter whatsoever to AMSA
		(b)	By date required under Section 46	YES	Mandatory	NOT REQUI RED	
	37		Conflicts of interest				
		(1) (a)(b)	A Surveyor must not conduct a survey if conflict of interest exists	YES	An AMSA accredited Surveyor must decline to survey a DCV if there is a potential for a conflict of interest or seek advice from AMSA	NOT REQUI RED	An Electrician is NOT required to comply with the existing or proposed conflict of interest provisions in the Legislation/Regulations or Marine Orders. The conflict of interest provisions is a restriction on an AMSA accredited Surveyor and not the survey of a DCV. State and Territory licenced Electricians are effectively exempt from the conflict of interest provisions in the regulations
		[2] (a, b)	A Survey must not conduct a survey if they; are related to or, have a contractual arrangement with the vessel owner	YES		NOT REQUI RED	
		(2) (c)	A Survey must not conduct a survey if they are an employer, an employee of the vessel owner	YES		NOT REQUI RED	
	38		Private marine surveyors				

		(2) (a)	A Surveyor employee must be covered by a Professional Indemnity (PI) insurance policy for an amount not less than \$1,000,000.00	YES	An accredited Surveyor's employer must maintain PI insurance and supply to AMSA a Certificate Of Currency for the PI insurance policy if requested by AMSA	NOT REQUI RED	In general, Electricians have Public Liability (PL) insurance which does not cover, or severely restricts, Marine Survey activities of DCVs and may effectively mean the Electrician conducting the survey is uninsured	
		(3) (a, b)	Provide proof to AMSA within 5 days of renewal of PI insurance policy or when requested by AMSA	YES	An accredited Surveyor's employer must supply documentary proof of renewal within 5 days of the PI policy being renewed	NOT REQUI RED	As AMSA does not require Electricians to have PI insurance, therefore this clause would be expected to not apply to Electricians	
	40		Record Keeping requirements					
				A Surveyor is required to retain survey documents for a period of 7 years	YES	An accredited Surveyor is required to keep and maintain records of surveys to facilitate auditing for the specified period	NOT REQUI RED	AMSA appears to have no legislative authority to require an Electrician to retain ANY records for ANY period of time. It is at the Electrician discretion if any records of surveys are to be retained
Division 3.4 Variation, suspension and revocation of accreditation			Variation of accreditation				AMSA appears to have no legislative authority to cancel or suspend a State or Territory licensed Electrician licence. As the existing and draft MO503 allow a State or Territory licenced Electrician to conduct electrical surveys, AMSA would need to rely on more general powers to solicit compliance by State and Territory	
	42	(1) (b)	AMSA may limit or cancel a Surveyor's accreditation	YES		NOT REQUI RED		

			Suspension of accreditation				licenced Electricians for these, grossly foreseeable, situations
	43	(1)	AMSA may suspend an accredited surveyor's accreditation if the surveyor contravenes a condition of accreditation	YES		NOT REQUI RED	
Division 3.5 Audits information	45		AMSA may conduct audits				
		(1)	AMSA may compulsorily audit a Surveyor	YES	It is a condition of AMSA accreditation that an accredited Surveyor submit to an audit when requested by AMSA	NOT REQUI RED	AMSA appears to have no legislative authority to require an Electrician to submit to an audited, supply information, make recommendations to AMSA, comply with ISO 9001 or, provide Certificates Of Currency for Professional Indemnity insurance or retain records for any period of time under section 40
		(2) (a - d)	Auditable matters include; recommendations made by surveyor, process used to conduct survey, ISO	YES		NOT REQUI RED	