



Australian Government
Australian Maritime Safety Authority

AMSA EX13

Marine Safety (Wildlife or other sightseeing) Exemption 2017

I, Gary Prosser, Acting Chief Executive Officer of the Australian Maritime Safety Authority (the National Marine Safety Regulator under section 9 of the *Marine Safety (Domestic Commercial Vessel) National Law*), make this instrument under subsection 143(1) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

12 December 2017

Gary Prosser
Acting Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Wildlife or other sightseeing) Exemption 2017*.

2 Duration

This instrument:

- (a) commences on 1 February 2018; and
- (b) ceases to have effect at the end of 30 June 2020.

3 Repeal and transitional matters

- (1) *Marine Safety (Wildlife or other sightseeing) Exemption 2013* made on 21 June 2013 is repealed.
- (2) However, a written approval that was issued under that instrument and in effect on 31 January 2018 continues in effect until the end of 30 June 2020 as if the instrument under which it was issued had not been repealed.

4 Definitions — the dictionary

A definition in the dictionary applies to each use of the word or expression in this instrument.

Note The dictionary is located at the end of the instrument.

5 Exemption

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

- (a) the National Regulator considers that the person is able to be the master of a vessel that is:
 - (i) < 12m long; and
 - (ii) < 100 kW inboard or unlimited outboard powered; and
- (b) the National Regulator approves in writing the person conducting the specified operation in the area mentioned in the approval.

Note A fee may be charged — see s 9 of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

6 Conditions

- (1) The person must operate the vessel at less than 10 knots.
- (2) The National Regulator may make the approval subject to further conditions that take account of the local conditions of the waters in which the vessel is to operate.

Dictionary

(section 4)

Marine Safety (Domestic Commercial Vessel) National Law — see Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

Note **National Regulator** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 6.

specified operation, for a domestic commercial vessel, means an operation using the vessel for viewing wildlife or other sightseeing in an area permitted by a State or Territory.
