



**Australian Government**  
**Australian Maritime Safety Authority**

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AMSA MO 2020/[number]

**Marine Order 504 (Certificates of operation and operation requirements — national law) Amendment 2020**

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I, Michael Kinley, Chief Executive Officer of the Australian Maritime Safety Authority, (the National Marine Safety Regulator under section 9 of the *Marine Safety (Domestic Commercial Vessel) National Law*), make this Marine Order under subsection 163(1) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

2020

**[DRAFT ONLY — NOT FOR SIGNATURE]**  
Chief Executive Officer

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**1 Name of Order**

This Order is *Marine Order 504 (Certificates of operation and operation requirements — national law) Amendment 2020*.

**2 Commencement**

This Order commences on 1 July 2020.

**3 Amendment of *Marine Order***

Schedule 1 amends *Marine Order 504 (Certificates of operation and operation requirements — national law) 2018*.

**Schedule 1 Amendment**

**[1] Section 10**

*omit*

section 9 of Marine Order 501

*insert*

section 9 of Marine Order 501, include

**[2] Schedule 1, subclause 2(3), note**

*omit*

subparagraph (b)(iv)

*insert*

paragraph (c)

**[3] Schedule 1, paragraph 6(6)(b)**

*substitute*

(b) the number of persons to be carried on the vessel and the effectiveness and timeliness of arrangements for passenger monitoring, taking into account that the master of the vessel must be able to find out the number of passengers on board the vessel at any time;

**[4] Schedule 1, paragraph 7(6)(b)**

*omit*

passenger vessel

*insert*

vessel that carries passengers

**[5] Schedule 1, after paragraph 7(6)(b)**

*insert*

(ba) for a Class 1 vessel, or a Class 2 vessel that is permitted to carry passengers — an effective and verifiable means of passenger

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- monitoring to ensure that the master of the vessel is able to find out the number of passengers on board the vessel at any time;
- (bb) for a Class 1 vessel, or a Class 2 vessel that is permitted to carry passengers — a passenger count on embarkation and disembarkation if:
- (i) the vessel is permitted to carry no more than 75 passengers; and
  - (ii) the scheduled duration of the voyage is at least 30 minutes and no more than 12 hours; and
  - (iii) the vessel is not scheduled to stop for embarkation or disembarkation in the first 30 minutes; and
  - (iv) the vessel is operating in:
    - (A) B, C or D waters; or
    - (B) E waters outside of daylight hours.

**[6] Schedule 1, subclause 7(6), after the note**

*insert*

*Note for paragraph (ba)* Examples of passenger monitoring systems include counting, monitored or recorded closed circuit television, crew stationed as sentries to visually monitor, configuration of the vessel that allows the master of the vessel to see passengers.

**[7] Schedule 1, subclause 7(7)**

*omit*

The

*insert*

For a vessel to which NSCV Part F1C applies — the

**[8] Schedule 1, paragraph 8(3)(b)**

*omit*

overboard

*insert*

overboard or unaccountably missing

**[9] Schedule 1, paragraph 11(4)(f)**

*substitute*

- (f) all passenger counts conducted for the vessel;
- (g) any operation of the vessel for recreational purposes.

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**[10] Schedule 1, subclause 11(9)**

*omit*

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**Note**

1. All legislative instruments and compilations of legislative instruments are registered on the Federal Register of Legislation under the *Legislation Act 2003*. See <https://www.legislation.gov.au>.

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