



Australian Government
Australian Maritime Safety Authority

AMSA EX17

**Marine Safety (Great Barrier Reef Region and Torres Strait zone)
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 (Great Barrier Reef Region and Torres Strait zone) 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

Marine Safety (Great Barrier Reef Region and Torres Strait zone) Exemption 2015 made on 12 January 2015 is repealed.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 the specified operation if the person holds:

- (a) for a person who is to perform the duties of master or chief mate of a domestic commercial vessel that is ≥ 35 m long and < 80 m long in the

Great Barrier Reef Region or Torres Strait zone — a Master <35 m NC certificate of competency; or

- (b) for a person who is to perform the duties of chief mate of a domestic commercial vessel that is ≥ 35 m long and <80 m long in the Great Barrier Reef Region or Torres Strait zone — at least a Master <24 m NC certificate of competency; or
- (c) for a person who is to perform the duties of master of a vessel mentioned in paragraph (b) or (d) of the definition of **specified operation** — a Coxswain certificate mentioned in Part D of the NSCV.

Dictionary

(section 4)

Great Barrier Reef Region has the same meaning as in the *Great Barrier Reef Marine Park Act 1975*.

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

pontoon means a barge that:

- (a) is not powered; and
- (b) is permanently anchored; and
- (c) if it does not have moored to it a vessel surveyed to service category Class 1 capable of carrying everyone on the barge — is equipped with the safety equipment that would be required for a Class 1 vessel operating lawfully in the area where the barge is anchored.

specified operation means performing duties of a master or crew member for a vessel in any of the following areas:

- (a) for a domestic commercial vessel surveyed to service category Class 1C or 2C or operating as a fishing vessel and surveyed to service category Class 3C — the Great Barrier Reef Region and the Torres Strait zone;
- (b) for a domestic commercial vessel surveyed to service category Class 1D, 1E, 2D or 2E that is permanently based at a pontoon surveyed to service category Class 1E anchored within the Great Barrier Reef Region or the Torres Strait zone — the area in which the vessel is in sight of, and is capable of communicating with, the pontoon;
- (c) for a domestic commercial vessel that is a pontoon surveyed to service category Class 1E — the Great Barrier Reef Region;
- (d) for a domestic commercial vessel surveyed to service category Class 1D, 1E, 2D or 2E that is operating from a Queensland island — the area in which the vessel is in sight of, and is capable of communicating with, the island.

Torres Strait zone has the same meaning as in Schedule 14 of the *Transport Operations (Marine Safety) Regulation 2004 (Qld)*.