Australian Government
Australian Maritime Safety Authority

Instructions to classification societies

Recognised organisations

August 2020

AMSA issue ‘Instructions to Class’ (ITC) to provide detailed information as to specific requirements or processes to be followed in the conduct of the functions specified in the general authorisation.

The ITC will be revised and amended by AMSA in consultation with all its Recognised Organisations (RO).

Compliance with ITC is mandatory unless any deviation is approved by AMSA.

Contents

Amendment history

Version	Date of Issue	Author	Nature of Change
17	18/08/2020	Nikoletta Louverdis	Update to section 20.2.1 – correction to implementation date
16	2/06/2020	Lucinda McIntyre	Update to section 20.
15	13/03/2020	Lucinda McIntyre	Full review by Ship Inspection and Registration to remove/ update outdated information, update legal references and remove duplicated references between the ITC and the Agreement. New section 21. Sulphur Oxides – Annex VI Regulation 14 Update to section 20 - ISM Renumbering 21. Miscellaneous
14	30/08/2019	Lucinda McIntyre	New section 12.17 Category X prewash residues New section 20. International Safety Management (ISM) Renumbering 21. Miscellaneous Correction to title of table 3 and 4 Updates to web links
13	15/05/2019	Lucinda McIntyre/ Kevin Porter/Doug Matchett/Rob Gehling	Update to section 2.0 – addition of point (6) Update to section 2.1 paragraph 3. Update to section 6.1 paragraph 2(c) in respect of MO 31 pressure vessel testing requirements. Update to section 9 to reflect changes in ISM requirements. Update to section 9.1 in regards to application of MO11 to non-SOLAS vessels Update to section 9.6 – addition of point (6) Update to section 10, para. 7 added regarding manned and unmanned barges. section 11 Table 2 updated. Update to 12.11 – added par. 2 regarding STP inspection at renewal survey. New section 12.12 – ISPP Black/grey water tanks. New section 12.16 IOPP arrangements and oil filtering equipment. New section 13.6 Positioning of lower tier sleeping berth. Update to section 16.1 para.6 in respect to fire extinguisher servicing to reflect Marine Order 31 requirements. Update to section 16.2 against Marine Order 15 2014 Update to section 16.10 Immersion Suits. Update to 18.1 and 18.2 in respect to tonnage. New section 20, addition of section 20.1 Letters of acceptance for a foreign flagged Special Purpose Ship 20.2 Large commercial yachts and training vessels Marine Order 52. 20.3 Electronic Certificates
12	22/8/2015	MacGillivary Paul	Update to section 9. Update to section 10 - to include section 20 and removal of section 20.
11	22/11/2014	MacGillivary Paul	section 13
10	1/11/2013	Bob Evans	Update ITC to align with the Navigation Act 2012 and marine orders.
9	18/11/2011	Ship Inspection Group Glen Seeley	Editorial/Typographical correction Amended to reflect requirements related to survey and certification of, a. Small domestic vessels, b. Vessels with “Australian” certification operating outside the jurisdiction of the Navigation Act 1912; c. Commonwealth Vessels d. Amendments advised by KR. e. Addition of supply of Load Line information to be provided under 7.2.3. f. Amendments as per CCS comments
8	14/06/2010	Glen Seeley	Change amended text of V7 to Blue (deleted for V9)

Version	Date of Issue	Author	Nature of Change
7	28/01/2010	Glen Seeley Andy Hogan	Ado Part Ion of IMO resolutions and Changes to Marine Orders and: Incorporation of v6 Addendum 1 LRIT Incorporation of 2008 IS code and requirements for Vessels with max righting lever at less than 25deg. Advise on revisions to MO 91 and STS operations plan.
6	1/03/2008		Minor editorial/typographical correction.
5	9/08/2008	Andy Hogan	Ongoing improvements in consultation with AMSA and Class. Instructions reflecting revised IMO resolutions and AMSA Marine Orders.
4	19/01/2004	Bhu Dev	Ongoing improvements in consultation AMSA and Class: Additional text in main document and Annex A Addition of new Annexes B and C.
3	1/08/2001	Bhu Dev	Update to include requirements for new building, modifications and existing ships coming into Australian registry; and action arising from discussions with class societies (revised requirements for intact stability and information and liaison).
2	30/06/2000	Bhu Dev	Instructions which reflect revised requirements with regard to FPSO's; and delegation of radio surveys.
1	21/01/2000	Bhu Dev	Initial Issue
Approved By		Alex Schultz-Altmann Acting Manager Ship Inspection and Registration Operations	
Date of Issue			

Definitions

Agreement:	means the Agreement governing the provision of statutory survey and certification services for vessels registered in Australia between AMSA and the Classification Society.
Australian Shipping Register(s):	means the Australian General Register of Ships or the Australian International Register of Ships as detailed in Subdivision B and C respectively of Part II of the *Shipping Registration Act 1981.*
Classed:	has the same meaning as the definition of 'Classed' in section 3.1.2 of the Agreement.
ITC:	means Instructions to Class developed by AMSA, as specified in section 5.1.5 of the Agreement.
Marine Order:	is a legislative instrument (to be known as a Marine Order as defined in s.342 of the *Navigation Act 2012*) made under Part 6 of Chapter 9 of the *Navigation Act 2012*.
Navigation Act:	means the *Navigation Act 2012*, as amended.
Operator:	has the same meaning as owner in s14 of the *Navigation Act 2012*.
Owner:	has the same meaning as s14 of the *Navigation Act 2012*.
Port State:	means the authority of the State in whose port the ship is located.
Recognised Organisation:	means a Classification Society appointed as an 'Issuing body' under the *Navigation Act 2012*, and prescribed in Marine Orders Part 1, which has a formal agreement signed with AMSA authorizing that Classification Society to perform statutory survey and certification services for Australian flagged vessels.
Section:	means a Section of the Instructions to Class document.
s:	Section of the Navigation Act (e.g. s15).
Vessel:	The word "ship" as used in the ITC shall have the same meaning as the word "vessel" used in the *Navigation Act 2012*.

Abbreviations

AS:	Australian Standard issued by Standards Australia
CVMP:	Customs Vessel Management Plan
FSC:	Flag State Control
GT:	Gross Tonnage
IACS:	International Association of Classification Societies
MLC:	*Maritime Labour Convention 2006*
MO:	Marine Order
NATA:	National Association of Testing Authorities, Australia
NSCV:	National Standard for Commercial Vessels
RAV:	Regulated Australian Vessel
USL Code:	Uniform Shipping Laws Code

1. Scope

1.1. These instructions apply to surveys and certification of regulated Australian vessels, (as defined by s.15 of the Navigation Act) by the Recognized Organizations (ROs) undertaken in accordance with the agreement governing the provision of survey and certification services for ships registered in Australia between the Australian Maritime Safety Authority and ROs.

1.2. For the purposes of the *Protection of the Sea (Harmful Anti-fouling Systems) Act 2006*, an AMSA appointed RO is an approved 'survey authority' duly authorised to act for all related purposes.

1.3. Provisions of the *Navigation Act 2012* that are not restricted to RAVs in their application are subject to these instructions irrespective of whether the vessel to which they are to be applied is a RAV.

2. General

2.1. The instructions provide a framework under which the ROs will conduct surveys on behalf of AMSA to specific Australian requirements as specified in Marine Orders.

2.2. These instructions are in addition to the requirements of the written agreements and will support AMSA audit of survey and certification activities undertaken by the ROs on AMSA's behalf.

2.3. These instructions are intended to provide guidance on additional provisions contained in Australian Marine Orders and to provide clarification on specific convention requirements.
Marine Orders can be viewed on the AMSA website at:
amsa.gov.au/about/regulations-and-standards/index-marine-orders

2.4. Changes to Convention requirements, domestic requirements or identification of issues of importance are announced to stakeholders through Marine Notices. ROs should thoroughly apprise themselves of Marine Notices as they are issued.
Marine Notices can be accessed on the AMSA website at:
amsa.gov.au/about/regulations-and-standards/marine-notices

2.5. Unless otherwise specified, surveys are to be carried out and certificates issued in accordance with IMO Resolution A.1053(27) Harmonized System of Survey and Certification.

2.6. Where the RO undertakes statutory survey and certification services to a vessel on behalf of AMSA; AMSA considers that under the Agreement, these services will include appraisal against all applicable Conventions and instruments that apply to the vessel and its operation. This includes assessment against the relevant national legislation for which the RO is authorised under Schedule 1 of the Agreement. However:

2.6.1. AMSA however acknowledges that the undertaking of statutory survey and certification services is reliant on a respective application made by an owner. It is also accepted that inspections against MLC 2006 may be undertaken by another AMSA RO which has not otherwise undertaken classification of the vessel.

2.6.1. Where the owner does not elect the classification RO to undertake assessment against the provisions of a Marine Order (e.g. Marine Order 11), the RO shall promptly notify AMSA in accordance with Chapter 6 of the Agreement.

2.7. Vessels 'opting in' to be declared as a Regulated Australian Vessel or vessels becoming a Regulated Australian Vessel

2.7.1. The Navigation Act stipulates at s.25 that a vessel may be declared a Regulated Australian Vessel (RAV). Specific 'opt in' provisions are described in detail in MO1, as modified by MO4. However, opting in is not required where a vessel is issued with a Safety Certificate as specified in s.15 of the Navigation Act. In such circumstance the vessel is automatically a RAV. AMSA consider that a declaration under s.25 of the Navigation Act would only be required in unusual circumstances.

2.7.2. In circumstances where a non-convention vessel's requirements are outside the scope of the RO Agreement, the RO will seek advice from the Manager Ship Inspection and Registration, on a case by case basis.

2.7.3. In general, Australia gives effect to IMO resolutions and circulars that may be included, as footnotes in the text of the Conventions or promulgated as guidance in the implementation of the convention requirements.

2.7.3.1. IACS Unified Interpretations (UI) or similar documents related to interpretations of international conventions that have not formally been adopted by the IMO processes by incorporation into an IMO resolution, circular or IMO documents promulgated as guidance in the implementation of convention requirements, (see section 6.4) are not to be applied to Australian vessels.

2.7.3.2. Any proposals to implement IACS UI's or similar documents referenced in .1 above, are to be addressed in accordance with the provisions of the applicable Marine Order (e.g. exemption, equivalence or waiver) specified which gives effect to the Convention, as applied to an Australian vessel, unless a UI is expressly provided for within the Marine Order.

2.7.3.3. The Manager Ship Inspection and Registration must be consulted and their agreement received before implementing any IACS UIs referenced in .1 above.

2.7.4. The following Marine Orders are not supported by *Navigation Act 2012* and therefore ceased to have effect on 1 July 2013: MO 10 (Medical first aid on ships), MO 11 (Substandard ships), MO 14 (Accommodation), MO 53 (Employment of crews) and MO 61 (Safe working on board ships)..

2.7.5. A new MO 11 (Living and working conditions on vessels) commenced on 1 July 2013 combining the requirements formerly in MO 10, MO 11, MO 14 and MO 53.

2.7.6. Requirements previously covered in the ceased MO 61 are dealt with under the *Occupational Health and Safety (Maritime Industry) Act 1993*.

2.7.7. For other Marine Orders that were in force under the *Navigation Act 1912*, modifications have been made to align with the *Navigation Act 2012*. MO 4 (Transitional modifications) 2013 details the relevant modifications through a Schedule for each Marine Order affected.

2.8. Recognition of existing certificates

Deleted as no longer relevant.

2.9. Cancellation or revocation of certificates

2.9.1. Procedures to be followed where a Regulated Australian Vessel (RAV) wishes to change to a Domestic Commercial Vessel (DCV) will be listed on the AMSA RO restricted access website.

2.9.2. It should be noted that Australia gives effect to IMO Resolutions and Circulars that may be included as footnotes in the text of the Conventions or promulgated as guidance in the implementation of Convention requirements.

Certificates issued by Classification Societies should be annotated as per MSC/Circ.1012 - 'Endorsement of Certificates with the date of the survey on which they are based'.

2.10. Certificates of Survey – General

2.10.1. The jurisdiction of the *Navigation Act 2012* covers a vessel that is proceeding on an overseas voyage or is for use on an overseas voyage. This includes vessels that engage in international voyages or may do so on an occasional basis.

2.10.2. Non-SOLAS Certificates of Survey issued by ROs may only be Class 1B, 1C, 1D, 2A, 2B, 2C and 3A.

2.10.3. A Non-SOLAS Australian vessel certified as Class 2A vessel operating internationally may be subject to operational restrictions e.g. if intending to operate on inland waterways of a foreign country in waters equivalent to Class 2D or 2E i.e. smooth waters or partially smooth waters.

2.11. Continuous improvement of ITC

2.11.1. ROs will advise the Manager Ship Inspection and Registration of any area where the ITC is considered to be deficient and provide suggestions for improvement.

2.11.2. The ITC will be amended by AMSA as required. ROs will be notified of the release of a new version of the ITC on its release.

2.11.3. Applicable instruments and degree of authorisation where the Safety of Life at Sea (SOLAS) Convention applies, and applicable instruments and degree of authorisation where Conventions are not applicable in part or in full are listed in Appendix 1 and 2 respectively.

3. Information and liaison

3.1. The contact person within AMSA for matters pertaining to the execution of this agreement is:

Manager Ship Inspection and Registration, Operations
Tel: +61 2 6279 5048
Fax: +61 2 6279 5058
Email: OpsSirManager@amsa.gov.au

The contact person within AMSA for matters pertaining to the management and maintenance of this agreement is:

Head of Registration and Certification Ship Inspection and Registration, Operations
Tel: +61 2 6279 5931
Fax: +61 2 6279 5058
Email: fsc@amsa.gov.au

Note: ROs may also contact AMSA regional offices on operational matters.
amsa.gov.au/about/who-we-are/amsa-state-and-territory-offices

3.2. RO restricted access website

3.2.1. General information including ITC, equivalences, survey forms and the RO Annual meeting minutes are available from the AMSA restricted access website here:
www.amsa.gov.au/flag-state-administration-restricted-access

3.3. RO Reporting

Quarterly reporting

3.3.1. In addition to any instruction specified in the Recognised Organisations Agreement, section 6 and as required by section 3.9.2.1 of Part II of the RO Code, AMSA requires the RO to also submit a quarterly report of its activities in order to keep AMSA informed of the work being carried out by the RO in accordance with the general authorisation.

3.3.2. ROs must report to AMSA in accordance with clause 6 of the RO Agreement Vessels under survey operating outside AMSA jurisdiction.

3.3.3. Where a vessel is not subject to the *Navigation Act 2012* by virtue of operations or legislation (such as the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* [OPGGSA 2006]) the vessel must still be maintained in a condition where it is entitled to be issued relevant certification. Failure to do so may result in the withdrawal of certification or conditions being placed upon certification by AMSA and/or the RO.

4. Approvals

4.1. Australian Marine Orders require certain equipment to be specifically approved by, and certain arrangements to be to the satisfaction of, or acceptable to, the Manager Ship Inspection and Registration.

4.2. Except as required under clause 9.4.2 of the RO Agreement, the Manager Ship Inspection and Registration has agreed to delegate this authority to the ROs for the above purposes under the Marine Orders.

4.3. Clause 9.4.2 of the Agreement requires that when material or equipment:

4.3.1. is of a novel nature, experimental or of a kind not seen before;

4.3.2. specifications or testing requirements are not fully developed and/or internationally agreed, or experience of their usage is limited;

4.3.3. has been subjected to significant design changes resulting from in-service experience; or

4.3.4. does not meet an appropriate IMO/ISO/IEC/European Council Directive 96/98/EC Standard;

then AMSA must be consulted before accepting any approval issued by “CLASS insert acronym” for any such item intended to be fitted on board an Australian registered vessel.

4.4. LSA Approvals

4.4.1. Overseas service stations of life saving appliances will be accepted by AMSA where they have been approved by a foreign Administration and have, in turn, been accepted by the RO in accordance with IACS Unified Requirement UR Z17 - Procedural Requirements for Service Suppliers.

4.4.2. ROs must be mindful of the requirements for Australian vessels relating to EPIRBS in life rafts. Refer to 16.7 for details.

5. Exemptions, waivers and equivalents

5.1. Discretion in relation to exemptions, waivers and equivalents rests with AMSA. These powers are exercised on the advice of the RO, as follows in the remainder of this section. Whenever a request from the owner is received for initial exemptions, waivers or equivalences, the RO must first review the request and if it has merit, a submission which comprises of the following information should be forwarded to, AMSA FSC using AMSA Form 288:

- The reference to the Marine Order or Convention giving the power for the exemption, waiver or equivalence;
- The clause applicable for the exemption/ waiver/ equivalence being requested;
- Supporting documentation, e.g. plans, documents, risk assessments;
- Any conditions considered appropriate; and
- Recommendation if the request should be granted

5.2. AMSA will make a decision taking the submission from the RO into account, and other considerations. Subject to the decision, a certificate will be issued and sent to the vessel's owner/operator with a copy provided to the RO. If AMSA considers the request for exemption, waiver or equivalence is not valid all parties will be notified accordingly.

5.3. **Subsequent** issuance of an exemption, waiver or equivalent related to a delegated RO function will be carried out by the RO following verification that all conditions imposed for initial issue (or re-issue if updated) of the exemption, waiver or equivalent continue to be complied with. Unless the RO has ascertained that no changes have been made to the vessel's structure, equipment, arrangement or operations in relation to the exemption, waiver or equivalent, the RO is to contact the Manager Ship Inspection and Registration or Principal Marine Surveyor, FSC to confirm there are no objections to the subsequent issue of the exemption, waiver or equivalent.

5.3.1. AMSA FSC on request is prepared to provide the 'Word' versions of the applicable documents to assist in the RO in drafting process.

5.4. Where the RO re-issues an exemption, waiver or equivalent the following words are to be incorporated:
"This <<Exemption, Waiver, Equivalence>> replaces AMSA <<EXxxxx, WAxxxx, EQxxxx>> dated <<DD/MM/YYYY>> which has now expired."

Note: The reference AMSA document number is the original document as issued by AMSA. Where AMSA is required to re-issue an update to an exemption, waiver or equivalence and subsequent re-issue by an RO is to reference the AMSA re-issued document.

5.5. If a short-term exemption, waiver or equivalence is required (for example, due to some temporary malfunction of equipment) the RO is required to carry out an appropriate risk assessment. If it is deemed appropriate that an exemption, waiver or equivalence certificate be issued, the RO shall recommend to the Manager Ship Inspection and Registration, the conditions to be imposed for the issuance of a short-term exemption, waiver or equivalence certificate or letter based upon their risk assessment. AMSA may request an electronic copy of the risk assessment when considering the RO's proposal.

5.6. **FPSOs and FSUs**. Paragraph 12.3 of these instructions covers the implementation of MARPOL Annex I to FPSOs and FSUs through application of the provisions of MARPOL reg. I/39 and res. MEPC.139 (53) Guidelines for the application of MARPOL Annex I to FPSOs and FSUs, as amended. However, the application of that resolution does not extend to SOLAS, and FPSOs and FSUs are therefore to be surveyed and certificated in accordance with SOLAS requirements for "oil tankers". Where a particular FPSO or FSU is unable to comply with specific SOLAS provisions, the RO is to assess the situation and provide AMSA with a recommendation for equivalence or exemption as appropriate with regard to the safety standards attained by the arrangements provided. In particular, although MEPC.139 (53) gives effect to the provisions of the Enhanced Survey Programme (ESP) for oil tankers, AMSA is prepared to consider some flexibility in applying the detailed provisions of the ESP to incorporate the detailed master list of survey items into a Survey Planning Document, so as to achieve a similar standard of survey over the survey cycle. Proposals of such arrangements are to be submitted to AMSA for approval in relation to each FPSO or FSU following endorsement by the RO.

ROs should note that divergence from the mandatory bottom inspection provisions of SOLAS and the *Navigation Act 2012* will generally only be considered by AMSA in the context of a Performance-Based Integrity (PBI) inspection regime that includes:

- benchmarking of the initial and projected integrity of the vessel's structure, appendages and penetrations;
- increased frequency of internal and external surveys of any items identified as degraded; and
- on-going compliance with class rules including timely close-out of conditions/ recommendations of class.

6. Existing ships

6.1. Ships transferring to Australian registry

6.1.1. The following applies:

6.1.1.1. A vessel's construction, structure and equipment are to comply with all relevant international conventions or USL/NSCV Code as applicable. Where, following a gap analysis it is found that its construction, structure and equipment do not comply, details are to be provided to the owners/ operators for their consideration and action. The owner's/operator's proposals to comply or seek exemptions or equivalences, are to be submitted to the RO in the first instance for review. Thereafter, the final submission with recommendations is to be forwarded by the RO to the Manager Ship Inspection and Registration for consideration;

6.1.1.2. Any exemptions or equivalences issued by the previous flag State administration are to be provided to the Manager Ship Inspection and Registration for review. Discretion in regard to the acceptance of previously granted exemptions and equivalences rests with AMSA in all circumstances.

6.1.1.3. The following drawings/information are to be provided:

- General Arrangement plan;
- Fire control plan;
- Lifesaving Appliances (or safety plan where details are combined) in all cases; and
- Freeboard plan (or equivalent), together with copies of the C11 record of conditions of assignment, C11 calculation and Memorandum of Assignment for Load Line is required.

6.1.2. AMSA additional requirements for existing ships' annual, intermediate and periodic surveys are:

6.1.2.1. Equipment should be in accordance with the 'Record of approved Ship Safety Equipment' held on board and the fire control plan/safety plan. Where there is any doubt on the approval status of the equipment, the Manager Ship Inspection and Registration must be consulted.

6.1.2.2. On satisfactory completion of the survey for the first time the RO surveyor may either issue a new certificate in accordance with Res. A.1053(27), or endorse an AMSA issued certificate, where applicable, in accordance with class rules and instructions.

6.1.2.3. All pressure vessels, such as pneupress tanks, portable air compressor units and calorifiers, not under class are to be included in the safety construction survey. AS1210 is to be used as the minimum applicable standard. MO31, section 7.3 applies and the Manager Ship Inspections and Registration should be consulted where any doubt exists as to the survey requirements.

6.1.2.4. Sections 13, 14, 15 and 16 of this document include specific Australian requirements.

6.2. Carriage of documents

6.2.1. In addition to the examination of current certificates and other records a vessel is required to carry, the surveyor should ensure that the vessel has ready access to copies of the following Australian legislation:

- *The Navigation Act 2012*
- All relevant Marine Orders
- *Occupational Health and Safety (Maritime Industry) Act 1993*
- *Occupational Health and Safety (Maritime Industry) Regulations 1995*
- *Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003.*

6.3. COLREGS Prevention of Collisions at Sea

6.3.1. Existing vessels are to continue to comply with their approved layout and equipment.

6.4. IMO unified interpretations

6.4.1. IMO unified interpretations are available for SOLAS regulations in documents, such as MSC/Circ.1120 (as amended). These interpretations and other relevant circulars are to be applied during plan review and examinations. Interpretative issues that are not addressed by IMO Unified Interpretations, Marine Orders or where conflict exists with marine orders are to be referred to the Manager Ship Inspection and Registration.

6.4.2. In circumstances where an RO is of the opinion that standards specified either in SOLAS or Marine Orders do not provide an adequate level of safety due to a particular characteristic of a vessel then the RO will consult with the Manager Ship Inspection and Registration with recommendations.

6.5. Asbestos

6.5.1. From 31 December 2003 it has been illegal to import, store, supply, sell, install or use any products containing asbestos (except in limited circumstances) in Australian maritime workplaces.

6.5.2. An Australian vessel that had asbestos product fixed or installed (i.e. in-situ) prior to 31 December 2003 is permitted to retain asbestos, if it does not constitute a risk to users until the asbestos contained in the product is disturbed. In this case the vessel must carry an appropriate asbestos register and an asbestos management plan.

6.5.3. Where, during routine surveys, evidence is found or presented to the RO surveyor that asbestos may be onboard that is not in accordance with the vessel's asbestos register (or an asbestos register is not available), then they must inform Manager Ship Inspection and Registration or the nearest AMSA office.

Note: For requirements dealing with materials containing asbestos, see the Asbestos Safety and Eradication Agency website (www.asbestossafety.gov.au)

See also section 7.6 of this document.

6.6. Existing Ship International Anti-Fouling System Certificate

6.6.1. The survey is to be in accordance with MO98. There are no additional requirements.

6.7. Existing Ship Load Lines

6.7.1. An International Load Line Certificate is to be issued in accordance with MO16. This order incorporates the International Convention on Load Lines, 1966 and Protocol of 1988, as amended.

6.7.2. Further, the International Convention on Load Lines is to be interpreted in accordance with the unified interpretations of the Convention, Load Line Circulars LL.3/Circ.55, LL.3/Circ.69 and LL.3/Circ.77.

6.7.3. A Load Line Certificate may be issued (to a vessel not requiring a Load Line Certificate under the convention) at the request of the owner, provided that the certificate is endorsed to that effect. Requirements for load lines are also referenced at section 16.

7. New ships

7.1. New ship projects

7.1.1. Upon receipt of notification to build or modify an Australian owned or registered ship (General Register and AISR), the relevant RO should liaise with the Manager Ship Inspection and Registration at the first opportunity.

7.1.2. The Manager Ship Inspection and Registration will assign a person for liaison between the parties. Where a party considers it desirable to have a meeting of all the parties concerned, e.g. Owner, RO, AMSA, Builder, the Manager Ship Inspection and Registration will arrange such a meeting to ensure all parties clearly understand their roles and responsibilities.

7.1.3. During any meeting, the Manager Ship Inspection and Registration will take the opportunity of discussing items such as accommodation ladders, pilot boarding arrangements, means of access to cargo holds (including hold ladders), mast ladders fitted with hoops and any other matters related to OHS (MI) Act, which remain the responsibility of AMSA. The Manager Vessel Operations is responsible for minimum safe manning, which remains the responsibility of AMSA.

7.2. New ship documentation (plans/drawings)

7.2.1. The Manager Ship Inspection and Registration will advise what details and plans/drawings are required. In general AMSA will require:

- General Arrangement plan;
- Fire control plan;
- Lifesaving Appliances (or safety plan where details are combined) in all cases; and
- Freeboard plan (or equivalent), together with copies of the record of conditions of assignment, calculation of assigned freeboards and Memorandum of Assignment for Load Line is required.

7.3. Compliance with Marine Orders

7.3.1. New buildings, modifications and existing ships entering Australian registry must comply fully with all applicable Marine Orders (unless exemptions or waivers have been agreed by the Manager Ship Inspection and Registration).

7.3.2. The Manager Ship Inspection and Registration should be contacted as early as possible with comprehensive system details and plans of any proposed machinery space fixed fire extinguishing systems and installations for his/her acceptance.

7.4. IMO unified interpretations (new ship)

7.4.1. IMO provides unified interpretations to the SOLAS regulations in documents such as MSC/Circs.1120, 1426, 1436, 1437 and 1467. Unless a conflict with Marine Orders exists, these interpretations and other relevant circulars are to be applied during plan review and examinations. Interpretative issues that are not addressed by either the IMO Unified Interpretations or Marine Orders are to be referred to the Manager Ship Inspection and Registration for decision.

7.4.2. In circumstances where an RO is of the opinion that standards specified either in SOLAS or Marine Orders do not provide an adequate level of safety due to a particular characteristic of the ship then the RO will consult with the Manager Ship Inspection and Registration providing recommendations for any additional requirements the RO considers appropriate.

7.5. New Ships Prevention of Collisions at Sea

7.5.1. New ships are to be in compliance with MO30 and SOLAS Regulation V/22.

7.6. Asbestos

7.6.1. As noted in section 6.5, from 31 December 2003 it has been illegal to import, store, supply, sell, install or use any products containing asbestos (except in limited circumstances) in Australian maritime workplaces. New built ships must therefore be asbestos free.

7.6.2. The owner is to confirm to the RO that the laws and conditions under which it was issued are equivalent to Australian law – i.e. asbestos free means zero asbestos detected on samples analysed according to the Australian standard or equivalent. Where, during routine surveys, evidence is found or presented to the RO surveyor that asbestos may be onboard the ship that is not in accordance with the ship's Asbestos Register (or an Asbestos Register is not available), then they are to inform the Manager Ship Inspection and Registration.

7.7. High Speed Craft Permit to Operate

7.7.1. A High Speed Craft Permit to Operate must be issued by AMSA. All enquiries must be referred to the Manager Ship Inspection and Registration. HSC Survey of radio equipment is to be in accordance with section 11.

7.7.2. The qualifications for Master, Chief Mate or Watchkeeper (Deck) must comply with the requirements of MO3 section 50, High Speed Craft Endorsement.

7.8. International Anti-Fouling System Certificate

7.8.1. The Anti-Fouling System Certificate survey is to be in accordance with MO 98.

7.9. Special purpose ships

7.9.1. The Special Purpose Ship Safety Certificate Survey is to be in accordance with MO50.

8. Non-SOLAS vessels

8.1. The survey and certification of non SOLAS vessels fall under the legislative framework of Marine Orders.

Unless specified otherwise, surveys are to be carried out and certificates issued in accordance with the relevant requirements of Marine Orders Part 31 – Ship Surveys and Certification. Additionally, applicable class rules and instructions issued by the RO to its surveyors should be observed unless in conflict with these instructions.

Accommodation arrangements are to be approved in accordance with Marine Order 11.

8.2. Where a lighter, barge or other ship without independent means of propulsion is certified for unmanned operation, the certification must cover any manned operations either in port or at sea. Such certification may take the form of:

8.2.1. an additional Certificate of Survey and Record of Equipment; or

8.2.2. exemption(s) issued by AMSA on recommendation by the RO, based on documented safety (stability, fire protection equipment, lifesaving appliances, safety radio, load line and protection of the crew) and pollution measures implemented by the owner or operator.

In the cases above, the measures implemented or proposed to be implemented should be sent to AMSA FSC for approval with the endorsement of the relevant RO.

An additional load line need not necessarily be marked provided the safety measures include operational procedures to ensure adequate freeboard for manned operations. Refer also section 10 paragraph 7.

9. RO requirements for non-SOLAS vessels transferring to AMSA survey

9.1. This includes vessels transferring from DCV to RAV where a gap analysis with SOLAS requirements must be completed.

9.2. Where a DCV undertakes, or intends to undertake, an overseas voyage it becomes a RAV and the following requirements will apply:

- MARPOL
- SOLAS
- Loadline
- AFS
- Safety Management System as required by the ISM Code
- Certificate of Survey

9.3. ROs should be aware that passenger vessels of less than 500GT, that are RAVs still need a fully audited and certified SMC and DOC, as required by MO31.

9.4. RAVs must comply with the MLC through Marine Order 11. Refer to section 13 of the ICT for further details.

9.5. Other requirements may apply and the Manager Ship Inspections and Registration should be contacted if clarification is required.

9.6. For safety management systems on 'cargo ships' (non-SOLAS) less than 500 GT the provisions of Part A of the ISM Code will apply – See Marine Order 31, Schedule 2, 2.2.

9.7 Non SOLAS (<500 GT) Accommodation

9.7.1. MO11 applies to Regulated Australian Vessels (RAV). Vessels which do not meet the definition of RAV as contained in s.15 of the Navigation Act 2012 but wish to be subject to it for the purpose of MO 11 (noting all Marine Orders will apply) may do so by:

- "Opting in" (as per MO 1 and s.25) of the *Navigation Act 2012*; or
- Having a Safety certificate issued under the *Navigation Act 2012* which is not excluded by s.44 of MO 31.

9.7.2. The vessel must be assessed by an RO for compliance with, and have approval in relation to, the accommodation requirements of Marine Order 11.

9.7.3. In respect to the criteria of Marine Order 11, the ship owner is to demonstrate to the RO's satisfaction that every seafarer on board the vessel has:

9.7.3.1. a safe and secure workplace that complies with the safety standards that apply to the vessel; and

9.7.3.2. fair terms of employment; and

9.7.3.3. decent working and living conditions on board the vessel; and

9.7.3.4. health protection, medical care, welfare measures and other forms of social protection.

(9.7.3.1)–(9.7.3.4.) above must be demonstrated whether or not a certificate or other document (e.g. MLC or DMLC Part II) is issued by the RO.

9.7.4. It is recommended that the ship owner be encouraged to draw up a Declaration of Maritime Labour Compliance Part II (DMLC Pt. II) as per MLC 2006 Reg. 5.1.3, 10(b).

9.7.4.1 An RO can review and sign the DMLC Pt. II.

9.7.5. AMSA on request can provide a Declaration of Maritime Labour Compliance Part I (DMLC Pt. I) consistent with MLC 2006 Reg. 5.1.3, 10 (a) to support the DMLC Pt. II.

9.7.6. Where a ship owner does not wish to prepare a DMLC Pt. II or obtain a DMLC Pt. I, the RO should highlight that such documents may be invaluable to the Master if the vessel were subject to an Inspection as per MLC 2006, Reg. 5.2.1.

9.7.7. MO 11 applies MLC criteria as required by the convention. Vessels that are RAVs but are less than 200 GT and employed on domestic voyages may be subject to exemptions as permitted by section 6 of article II of the MLC, 2006.

9.7.8. ROs should consult with the Manager Ship Inspection and Registration regarding the application of accommodation standards for new and existing (Non SOLAS) vessels transferring to the Australian Flag and vessels seeking exemption under section 6 of article II of the MLC 2006.

9.8 Non SOLAS Radio

9.8.1. The requirements for Non SOLAS Radio are outlined in section 11.7.

9.9 MARPOL < 400 GT

9.9.1. The requirements for MARPOL are outlined in section 12.

9.10 Recreational vessels

9.10.1. Recreational vessels >400 GT must comply with MARPOL Annexes I, IV, V & VI.

9.10.2. Recreational vessels that are greater than 400 GT are to be issued with an International Anti-Fouling System Certificate as specified in MO 98.

9.10.3. Recreational vessels that are greater than 24 metres but less than 400 GT are to be issued with a “Declaration of Anti-fouling System” in the format set out in the Convention – see also Marine Order 98.

Owners can access the Declaration (AMSA Form 239) via: amsa.gov.au/forms/declaration-anti-fouling-system.

9.10.4. All recreational vessels greater than 100 GT require a garbage management plan.

9.10.5. Recreational vessels less than 400 GT, but certified to carry more than 15 persons on international voyages must comply with MARPOL Annex IV.

9.10.6. Recreational vessels are to comply with MARPOL Annex VI Reg.13 unless the regulation provides for an exclusion.

10. Load lines

10.1. Vessels over 24m in load line length are to be examined, assigned freeboards and issued with certification in accordance with Marine Order 16, Load Lines. This order incorporates the International Convention on Load Lines, 1966 and Protocol of 1988, as amended.

10.2. Further, the International Convention on Load Lines is to be interpreted in accordance with the unified interpretations of the Convention, Load Line Circulars series LL.3/Circ. numbers 55, 69, 77, 130, 155, 162,194 and 208. See also MSC.1/ Circ.1534 &1535 respectively.

10.3. Exemption requests are to be processed in accordance with MO 16, section 7 – Exemptions and section 8 – Equivalents.

10.4. Vessels under 24 metres in tonnage length are not subject to the Load Line Convention and section 7 of the USL Code applies, the stated load line being that defined in MO 16, s.25(4).

If an owner requests load line certification the RO is to seek instructions from the Manager Ship Inspection and Registration.

10.5. Where a vessel to which the *Navigation Act 2012* applies (such as through a s.25 declaration) is restricted solely to operations in smooth or partially smooth waters, the RO is to seek instructions from the Manager Ship Inspection and Registration.

10.6. Reduced freeboards requested for vessels designed for dredging and similar purposes to which the International Load Line Convention applies are to be assessed in accordance with:

"GUIDELINES FOR THE ASSIGNMENT OF REDUCED FREEBOARDS FOR DREDGERS, DR-68" issued by The Netherlands Shipping Inspectorate, as amended from time to time for vessels constructed on or after 1 January 2010.

10.6.1. For existing vessels constructed on or after 17 January 2001, complying with the "GUIDELINES FOR THE CONSTRUCTIONAND OPERATION OF DREDGERS ASSIGNED REDUCED FREEBOARDS DR67" attached to IMO Circular Letter 2285, dated 17 January 2001, Ref. T1/10, and

10.6.2. For existing vessels constructed before 17 January 2001, AMSA is to be contacted and full details provided together with the RO's comments and recommendations on the suitability of the vessel to be assigned a reduced freeboard in accordance with the document in (a).

10.6.3. Exemptions issued under 10.6.1 and 10.6.2 may be renewed in accordance with section 5.3, provided that the dredger continues to comply with its original requirements.

10.6.4. Vessels applying for reduced freeboards in accordance with 6 above are not to commence any dredging operations until a valid exemption certificate has been issued in accordance with MO 16, section 7 – Exemptions and section 8 – Equivalents.

10.7. Where reduced freeboards have been assigned for vessels designed for primarily unmanned use to which the International Load Line Convention applies and are assessed in accordance with Regulations 27(14) (b) and (c) the ILLC shall be endorsed as follows:

10.7.1. The Type of ship on the ILLC should be marked as “Type “B” with reduced freeboard”

10.7.2. The ILLC should state the following:

10.7.2.1. “Unmanned barge assigned a 25% reduction in freeboard in accordance with Reg 27 (14)(c)”

10.7.3. Where the vessel undertakes a change of use such that the operations are consistent with being manned, the Certificate of Survey is to reflect requirements for manned operations. The ILLC endorsement in section 7(b)(i) shall be removed and reissued with the following statement:

10.7.3.1. For manned operations, the vessel shall not be operated at a draft exceeding XXX.X* metres

*Note: The above draft being that associated with the assigned freeboard without the 25% reduction applied in Reg 27(14)(c) and, if the vessel is manned when under way, in accordance with the minimum bow height requirements of Reg. 39.

10.7.4. If, at the request of the Operator, as an alternative to 7.1, a second Load Line may be assigned and permanently marked on the vessel for manned operations as permitted by ICLL Reg. 6(8).

10.7.4.1. The Operator of the barge shall put in place procedures to ensure that only one set of Load Lines are in force and plainly visible (as per ICLL Reg.8) at any one time. The Load Line Marks not in force are to be ‘painted out’ so as not to be visible.

11. Surveys of radio equipment

11.1 MO 27 defines the requirements for Radio Surveys for SOLAS Australian Flag vessels. MO 27 also defines the Radio Survey requirements for Non SOLAS Australian Flag vessels that are RAVs.

11.2. IMO Radio Survey Requirements

11.2.1. In addition to compliance with MO 27, the relevant requirements of IMO Resolution A.1053 (27) and relevant sections of the International Radio Regulations as they relate to maritime mobile and maritime mobile satellite services must be complied with.

11.2.2. Relevant International radio regulations are contained in the “Manual for use by The Maritime Mobile and Maritime Mobile-Satellite Services” as amended from time to time (ITU Publication).

11.3. ITC Specific Radio Survey requirements

11.3.1. Australia has declared its sea area as sea area A3. All SOLAS vessels (and RAV Non SOLAS vessels) must comply with the requirements of sea area A3 as set out in SOLAS IV/10. Where vessels are to operate in sea area A4 the equipment requirements for A4 as detailed in SOLAS IV/11 must be complied with in addition to MO 27.

11.3.2. The equipment requirement options for SOLAS vessels are given in Tables 1 and 2. The functional requirements are those described in SOLAS IV/4.

11.3.3. Table 1 shows the basic minimum equipment required for all passenger vessels on international voyage as well as all cargo vessels of 300 GT and upwards to which the convention applies {SOLAS IV, IMO Res A.702 (17) and MO 27}. ROs should note Annex 5 of IMO Res A.703 (17) regarding training of personnel performing maintenance of the GMDSS installations aboard ships.

11.3.4. Table 2 gives the of equipment options for operating in sea area A3 sailing without an on board maintainer and utilising equipment duplication to ensure availability.

11.4. Lifesaving Appliances - Radio

11.4.1. The provision and positioning of radio lifesaving appliances must comply with SOLAS III/6 and MO 5 provision 12.11, hand held GMDSS approved VHF and search and rescue locating devices (SARTs or AIS-SARTs). The GMDSS requires every ship, while at sea, to be capable of sending ship-to-shore distress alerts by at least two separate and independent communications means, each using a different radio communication service. These are known as the primary and secondary means of sending ship-to-shore distress alerts.

11.5. Primary and Secondary means of sending ship-to-shore distress alerts

11.5.1. The primary equipment is listed on the Safety Radio Certificate, and the secondary means of alerting must also be listed. The secondary means is frequently the 406 MHz EPIRB, but may be other equipment such as a VHF DSC EPIRB (SOLAS IV/8.3).

11.5.2. SOLAS IV/6.4 relates solely to passenger ships (in all GMDSS sea areas), and includes the requirements for a distress panel, which shall be installed at the conning position (see also SOLAS IV/6.6.). On this panel, either a single button is used to send a distress via all radio installations on board, or a separate button for each piece of radio equipment.

11.6. Supplementary EPIRB

11.6.1. Activation of an EPIRB from the distress panel would be required by virtue of SOLAS IV/6.4 and 6.6. The regulations state that if a satellite EPIRB is used as the secondary means of distress alerting and is not remotely activated, it shall be acceptable to have an additional EPIRB installed in the wheelhouse near the conning position. This is covered in MO 27, the additional EPIRB above, is referenced as the ‘supplementary EPIRB’.

Table 1: GMDSS requirements for SOLAS Vessels

Equipment	A1	A2	A3 Inmarsat Solution	A3 HF Solution	A4
VHF with DSC	X	X	X	X	X
DSC watch receiver channel 70	X	X	X	X	X
MF telephony with MF DSC		X	X		
DSC watch receiver 2187.5 kHz		X	X		
INMARSAT earth station (SES) with EGC receiver			X		
MF/HF telephony with DSC and telex				X	X
DSC Watch receiver MF/HF				X	X
Duplicated VHF with DSC			X	X	X
Duplicated INMARSAT SES (only one unit on HF vessels)			X	X	
Duplicated MF/HF telephony with DSC and NBDP					X
NAVTEX receiver, 518 kHz1	X	X	X	X	X
EGC Receiver	X[2]	X[2]		X	X
Float free satellite 406 MHz EPIRB	X	X	X	X	X
Search and rescue locating device(s); can be either radar SART or AIS-SART	X[3]	X[3]	X[3]	X[3]	X[3]
Hand held GMDSS VHF transceivers	X[4]	X[4]	X[4]	X[4]	X[4]
For passenger ships, the following has applied from 01 July 1997					
"Distress Panel" (SOLAS IV/6.4 and 6.6)	X	X	X	X	X
Automatic updating of position to all relevant radio communication equipment (SOLAS IV/6.5)	X	X	X	X	X
Two-way-on-scene radio communication on 121.5 or 123.1 MHz from the navigating bridge (SOLAS IV/7.2)	X	X	X	X	X

Table 1 notes:
1. Where a 518 kHz NAVTEX service is provided in the operating area.
2. Necessary outside the NAVTEX Coverage area.
3. Cargo Ships between 300-500 GT; one unit, Cargo Ships > 500 GT; two units.
4. Cargo Ships between 300-500 GT; two Units, Cargo Ships 500 > GT; three units.

Table 2: Requirements for Australian Flag Vessels in sea area A3 not carrying an on board maintainer (equipment duplication)

a) Two complete VHF installations - providing radiotelephone and DSC operations
b) One 406 MHz EPIRB (mounted on a float free bracket located close to the navigating bridge)
c) Two search and rescue locating devices (one for vessels 300 to < 500 GT)
d) One NAVTEX receiver (if the vessel trades to or through sea area A2 where a NAVTEX service is provided)
e) Three portable GMDSS VHF hand held transceivers for use in survival craft (two for vessels 300 to < 500 GT)

and either a combination of:

Two INMARSAT-C systems (one may be replaced by an INMARSAT-B or Fleet77 system, provided it meets the installation criteria set out below),
One MF radio system, providing radiotelephone and DSC operation,
One MF DSC Watch keeping receiver.

or a combination of:

One INMARSAT-C system,
One MF/HF radio system - providing radiotelephone, DSC and NBDP operation,
One MF/HF scanning DSC Watch keeping receiver.

Table 2 notes:

1. As noted above, the INMARSAT duplication option may be satisfied by either two INMARSAT-C systems or one INMARSAT-C and one INMARSAT-B or Fleet77. If the INMARSAT-B/Fleet77 option is selected the following installation criteria must be met:

    a. The antenna must be mounted in a position that gives a completely unobstructed view of the satellite for 360 degrees around the horizon.

    b. The equipment must be powered from an uninterruptible power supply (UPS). The battery capacity requirements for this UPS are the same as for the other GMDSS equipment (1 or 6 hours, depending upon whether the ship is fitted with an emergency generator).

    c. The ship's gyrocompass must be powered from a UPS system, so that a break in supply does not corrupt the heading information supplied to the INMARSAT-B/Fleet77 terminal and also to the automatic identification system (AIS).

11.7. Specific requirements for non-SOLAS vessels

11.7.1 The equipment requirement options for non-SOLAS vessels and functional requirements are listed in MO 27.

11.7.2. Duplication of equipment is not required but the vessel must have a shore based maintenance contract in place or shipboard maintenance provided.

11.7.3. For the provision and positioning of radio lifesaving appliances, MO 25, s.48 should be referred to. Generally one 'Search and rescue locating device' and two hand held GMDSS-approved VHF transceivers would be required but this number may be increased or reduced by the Manager Ship Inspection and Registration on a case by case basis depending on the type of vessel and area of operation.

11.7.4. In regards to the position, physical and electromagnetic protection and illumination of each radio installation the requirements of SOLAS IV/6 are also to be applied to non-SOLAS vessels.

Table 3: GMDSS equipment requirements for non-SOLAS vessels (RAV via 'Opt-in') on Australian coastal voyages (sea area A3)

Equipment	A3 Option 1	A3 Option 2
VHF with DSC	X[1]	X[1]
DSC watch receiver channel 70	X	X
MF telephony with MF DSC	X	
DSC watch receiver 2187.5 kHz	X	
INMARSAT earth station (SES) with EGC receiver	X	
MF/HF telephony with DSC	X	X
DSC Watch receiver MF/HF	X	X
Duplicated VHF with DSC		
INMARSAT SES with EGC	X	X
Duplicated MF/HF telephony with DSC and NBDP		
NAVTEX receiver 518 kHz		
EGC Receiver		
Float free satellite 406 MHz EPIRB	X	X
Search and rescue locating device; can be either radar SART or AIS-SART	X[2]	X[2]
Hand held VHF transceiver(s)	X[3]	X[3]
For passenger ships, the following has applied from 01 July 1997		
"Distress Panel" (SOLAS IV/6.4 and 6.6)	X	X
Automatic updating of position to all relevant radio communication equipment (SOLAS IV/6.5)	X	X
Two-way-on-scene radio communication on 121.5 or 123.1 MHz from the navigating bridge (SOLAS IV/7.5)	X	X

Table 3 notes:

1. A VHF transceiver without DSC may be acceptable on existing vessels, depending on operating area and class of vessel, upon application to the Manager Ship Inspection and Registration.
2. Unless the Manager SI&R determines that the nature of the vessel's operations makes this requirement unnecessary.
3. Number of hand held VHF transceivers to be carried will be determined on a case-by-case basis by the Manager SI&R, who will take into account transceivers carried in accordance with MO 25.

Table 4 GMDSS equipment requirements for non-SOLAS vessels (RAV via 'Opt-in') on international voyages

Equipment	A1	A2	A3	A3	A4
			Inmarsat solution	HF solution	
VHF with DSC	X	X	X	X	X
DSC watch receiver channel 70	X	X	X	X	X
MF telephony with MF DSC		X	X		
DSC watch receiver 2187.5 kHz		X	X		
INMARSAT earth station (SES) with EGC receiver			X		
MF/HF telephony with DSC and telex				X	X
DSC Watch receiver MF/HF				X	X
Duplicated VHF with DSC	X	X	X	X	X
Duplicated INMARSAT SES (only one unit on HF vessels)			X	X	
Duplicated MF/HF telephony with DSC and telex					X
NAVTEX receiver, 518 kHz1	X	X	X	X	X
EGC Receiver	X[2]	X[2]	X[2]	X[2]	X[2]
Float free satellite 406 MHz EPIRB	X	X	X	X	X
A search and rescue locating device; can be either radar SART or AIS-SART	X	X	X	X	X
Hand held GMDSS VHF transceiver	X[4]	X[4]	X[4]	X[4]	X[4]

Table 4 notes:

1. A VHF transceiver without DSC may be acceptable for existing vessels, depending on operating area and class of vessel, upon application to the Manager Ship Inspection and Registration.
2. Necessary outside NAVTEX coverage area.
3. Where a 518 kHz NAVTEX service is provided in the operating area.
4. Generally one will be required however the number of units to be fitted will be determined on a case-by-case basis by the Manager Ship Inspection and Registration.

11.8. Special radio requirements for salvage tugs

11.8.1. Tugs (or similar vessels, such as offshore supply vessels), proceeding on salvage or towing operations that exceed the vessel's USL survey classification are to comply as follows:

11.8.1.1. Vessels 300 GT and over, on overseas voyages – full compliance with SOLAS IV - inspected and certified by a recognised organisation;

11.8.1.2. Vessels under 300 GT (Unrestricted Operations USL A) – MO 27;

11.8.1.3. Vessels over 300 GT (Coastal Operations – USL B) – MO 27;

11.8.1.4. Previously the equipment required by section 11.7(b) and (c) was permitted to be provided by means of a portable radio station. This option is no longer available and all tugs certified to either SOLAS, USL 2A or USL 2B should be equipped as required by SOLAS.

11.9. Special Radio Requirements for USL 2A, 2B vessels

11.9.1. All tugs certified to either SOLAS, USL 2A or USL 2B should be equipped as required by SOLAS or MO 27.

11.10. Special Radio Requirements for Tugs on delivery voyages

11.10.1. Tugs and vessels relocating, conducting extended operations, on delivery voyages or undertaking emergency salvage operations need to be issued with either a Determination or Navigation Act exemption. Specific equipment may be required, the Manager Ship Inspections and Registration should be consulted before Tugs are delivered, relocated or conduct extended operations.

11.11. Special Requirements for Class 1B, 1C, and 1D Passenger Vessels

11.11.1. Where Class 1B, 1C, and 1D passenger vessel is to be certified under the Navigation Act 2012, the specific additional radio requirements for a non-SOLAS Coastal Passenger vessel will be considered by the Manager Ship Inspections and Registration on a case by case basis.

11.12. AMSA Radio Survey Forms

11.12.1. Where practical, forms AMSA 220 – "Radio Communications Equipment Survey Details" and AMSA 219 "Summary of Radio Survey/Inspection" should be used for both SOLAS and Non-SOLAS vessels that are RAV's under the *Navigation Act 2012.* These forms are available from the 'Flag State Administration – Restricted Access' section on the AMSA web site.
amsa.gov.au/flag-state-administration-restricted-access

11.12.2. ROs may use their own checklists for conducting Radio Surveys provided they are satisfied that the checklist/s do not conflict with the requirements of MO 27.

11.13. Mobile Offshore Drilling Units

11.13.1. The survey of radio equipment for a MODU is to be in accordance with chapter 11 of the MODU Code.

11.14. Long Range Identification and Tracking (LRIT)

11.14.1. Specific Information in relation to the AMSA Vessel Tracking program can be reviewed at www.amsa.gov.au/safety-navigation/navigation-systems/long-range-identification-and-tracking

11.14.2. The ITC requirements for LRIT are from SOLAS V/19-1.

11.14.3. All passenger ships including high speed craft, cargo ships including tugs and high-speed craft of 300 gross tonnage and upwards and mobile offshore drilling units are required to be LRIT compliant when on international voyages.

11.14.4. An Australian vessel that carries full SOLAS certification and does not undertake international voyages is required to comply with LRIT. However, the operator may apply to AMSA for consideration of an exemption. IMO MSC.1/Circ. 1295 provides guidance on LRIT exemptions. Operators should be aware that in circumstances where an exemption has been granted, the vessel cannot then undertake an international voyage.

11.14.5. A conformance test report issued under the provisions of MSC.1/Circ.1307 on 'Guidance on the survey and certification of compliance of ships with the requirements to transmit LRIT information' is evidence that the LRIT equipment carried on the vessel complies with SOLAS V/19-1. Conformance test reports issued prior to 1 July 2009 should be replaced by conformance test reports issued pursuant to the provisions of the above circular whenever they are re-issued or updated.

12. MARPOL

12.1. To issue MARPOL certification to a non-SOLAS vessel proposing to transfer to AMSA survey, the vessel must be classed or 'in class' with an AMSA RO. An "opt in" declaration as per s.25 of the *Navigation Act 2012* should be in force (refer to section 2) to ensure the vessel is a RAV as per s.15 of the *Navigation Act 2012*.

12.2. Measures for oil tankers of less than 150 GT and all other ships of less than 400 GT

12.2.1. Under regulation 14.4 of MARPOL Annex I, ships of less than 400 GT are to be equipped, as far as practicable, to retain on board oil or oily mixtures or discharge them in accordance with the requirements of Regulation 15.6 of Annex I.

12.2.2. A 'Statement' or at the request of an owner, an International Oil Pollution Prevention Certificate MAY be issued to a ship of less than 400 GT and an oil tanker of less than 150 GT (described in the following paragraphs as 'vessels') on satisfactory completion of a survey. Such a 'Statement' or International Oil Pollution Prevention (IOPP) certificate is not required to be issued to a ship/oil tanker that is less than 24 metres in tonnage length.

12.2.3. Additionally, the following requirements are to be complied with. Before a Statement or an IOPP certificate is issued it should be ascertained that either:

12.2.3.1. The vessel is fitted with the equipment requirements in regulation 15.6.2 of MARPOL Annex I, or has the equipment or systems described in the following guidelines having regard to the ships age, size and operating procedures.

12.2.3.2. Vessels which are not equipped with installations described in MARPOL Annex 1 regulation 15(6) are to at least have retention facilities which are adequate to safely store on board all oily-water mixtures likely to accumulate during the normal operation of the vessel and have suitable means for transferring these mixtures to shore reception facilities.

12.2.3.3. Vessels which have bilge pumps discharging direct overboard or have small non-approved oily-water separators must have arrangements to prevent inadvertent discharge overboard of oily-water under normal operations. Care must be taken that any modifications to existing systems do not hinder any bilge pumping which may be necessary in an emergency.

12.3. Annex I IOPP Certificate for FPSOs and FSU

12.3.1. The requirements for FPSOs and FSUs are to be in compliance with MO 47, noting the following additional arrangements. FPSOs and FSUs are to be subjected to enhanced survey[1] under A.744(18), as amended.

12.3.2. In accordance with international interpretations, a FPSO or FSU is required to comply with MARPOL Annex I at all times, except that regulations 20.4, 20.5, 20.6, and 20.7 will only apply if a commercial voyage is undertaken.

12.3.3. MARPOL Annex I is to be applied to all FPSOs and FSUs in accordance with the Res. MEPC 139(53) as amended, noting the requirements of guidelines for the Application of MARPOL Annex I Requirements to FPSOs and FSUs. This includes oil tankers that are converted as FPSOs and FSUs, purpose built disconnectable FPSOs and FSUs and permanently moored FPSOs and FSUs.

12.3.4. With regard to MARPOL I/19.3.1 and 19.3.6 as referred to in MEPC.139(53), AMSA does not accept alternatives to double-skins as protection against low-impact collisions on new-construction FPSOs/FSUs and new-conversion FPSOs/FSUs.

12.3.5. Permanently moored FPSOs and FSUs are considered as fixed installations under Australian legislation. *Protection of the Sea (Prevention of Pollution from Ships) Act, 1983*, and *Protection of the Sea (Harmful Anti-fouling Systems) Act 2006*.

12.3.6. *Navigation Act 2012* and MO 47 will not apply to permanently moored FPSO's and FSU's in 12.3.5 above.

12.3.7. Reference can also be made to the "Anti-fouling and In-water Cleaning Guidelines" issued by the Department of Agriculture at www.agriculture.gov.au/biosecurity/avm/vessels/biofouling/anti-fouling-and-inwater-cleaning-guidelines

Note: The existing MO 47 and MO 60 were amalgamated in to a single order (MO47) on 1 November 2019.

[1] Note requirement in paragraph 11 of Annex to MEPC.139 (53): The relevant oil tanker requirements of resolution A.744(18) have been included as one of the provisions of the Guidelines in order to ensure a satisfactory standard of structural integrity for FPSOs and FSUs.

12.4. New vessels 24m and over (Class * 'A' certification)

12.4.1. To be fitted with a holding tank or tanks of a size suitable for the retention of all slops and oily-water mixtures likely to accumulate during the normal operation of the vessel. The minimum size being sufficient to hold at least three weeks accumulated wastes. Suitable means shall be provided for cleaning the tanks and for discharging the contents, through a standard discharge connection on deck, to reception facilities. Arrangements shall be made to minimise leakage of oil into bilges such as save ails around fuel pumps, tanks and valves with drains to separate dedicated oil tanks.

12.5. New vessels 24m and over (Class B,C,D certification)

12.5.1. To be fitted with a holding tank or tanks of a size suitable for the retention of all slops and oily-water mixtures likely to accumulate during the normal operation of the vessel. The minimum size of the tank(s) being sufficient to hold at least 2 weeks accumulated wastes. Suitable means shall be provided for cleaning the tanks and for discharging the contents to reception facilities.

12.6. Existing vessels 24m and over (Class A certification)

12.6.1. To be fitted with a holding tank or tanks of a size suitable for the retention of all slops and oil-water mixtures likely to accumulate during the normal operation of the vessel. The minimum size being sufficient to hold at least 3 weeks accumulated wastes. Suitable means shall be provided for discharging the contents of the tank through a standard discharge connection on deck to reception facilities.

12.7. Existing vessels 24m and over (Class B,C, D certification)

12.7.1. To be provided with suitable means of discharging all slops bilges and oily mixtures to reception facilities. Where no dedicated holding tank is provided, all wastes are to be discharged ashore as necessary to prevent the accumulation of hazardous amounts of oily mixtures. Frequency for discharge ashore of oily mixtures should be determined by documented risk assessment.

12.8. Vessels less than 24m (Class A certification)

12.8.1 New and existing vessels on unrestricted voyages shall have arrangements for storing on board oily mixtures and sludge separate from the bilges. This can be in the form of an integral tank or loose drums. The minimum storage capacity should be 0.5 cu m. New vessels shall have also arrangements to minimise leakage of oil into bilges such as save-all around fuel pumps, tanks and valves.

12.9. Ship to Ship (STS) Operations Plan

12.9.1. The STS operations plan of tankers involved in STS operations shall be approved by the RO on behalf of AMSA in accordance with MO 91.

12.9.2. Refer also to Marine Notice 2017/15, 'Transfer Operations at Sea and in Coastal Waters'.

12.10. Noxious Liquid Substances

12.10.1. The International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk is to be in accordance with MO 93. No additional requirements.

12.11. Offshore support vessels

12.11.1. The Certificate of Fitness for the transport and handling of limited amounts of hazardous and noxious liquid substances in bulk on offshore support vessels. This certificate must be issued after survey in accordance with MO 93. No additional requirements.

12.12. International Sewage Pollution Prevention Certificate

12.12.1. The ISPP is to be issued in accordance with MO 96. No additional requirements.

12.12.2. In order to ensure a more robust review and survey of sewage treatment plants (STP) at renewal surveys, the scope of inspection is to be expanded noting paragraph 3.1 of Res.A.1120(30), to include as far as practicable:

- Verification that the manufacturers maintenance instructions and servicing schedules have been followed e.g. authorised service agent records
- Records of any repairs, subsequent operational testing e.g. authorised service agents records
- External examination of the STP
- As far as practicable a functional operation of the plant system is witnessed, verified and documented.

12.13. International Sewage Pollution Prevention (ISPP) Guidance – black/grey water tanks

12.13.1. Table 3 of AMSA web page amsa.gov.au/marine-environment/marine-pollution/discharge-standards, details sewage and MARPOL Annex IV provisions but does not provide specific guidance on the sizing of/capacity of black/grey water tanks.

12.13.2. Guidance on black/grey water tanks for passenger ships can be found at www.helcom.fi/Recommendations/Rec%2011-10.pdf.

12.13.3. State/Territory bodies may have specific guidance on calculating tank sizes/capacities, which are to be complied with. Vessels operating interstate should comply with the most onerous set of requirements as applied to the design and type(s) of operation being undertaken.

12.13.4. Information published by flag administrations, based on MARPOL and the Helsinki Convention, that may provide guidance are:

- German Flag Guidance:
  www.deutsche-flagge.de/en/redaktion-englisch/documents/documents-ds/additional- information-for-new-buildings/e-16.pdf/view
  See Appendix 4 – Based on Helsinki Convention
- Danish Flag Guidance:
  www.dma.dk/Vaekst/Rammevilkaar/Legislation/Notice%20D/D-XXIV-01112004.pdf
  See Appendix B – Based on Helsinki Convention

12.13.5. A useful guidance source for determining daily flow rates based typical items of equipment/sanitary ware that may be used on a vessel, e.g. dual flush toilets, dish washers, laundries etc. may be found at:

- NSW Health Guidance:
  www.health.nsw.gov.au/environment/domesticwastewater/Documents/septic-guideline.pdf

  Information is based on land based installations, useful guidance on daily flows generated in both domestic and commercial situations.

  Annexure 3 allowances for Daily flows for Calculation of Tank Capacities in Domestic; and

  Annexure 4 allowances for Daily flows for Calculation of Tank Capacities in Commercial use.

  The tables contained in the above provide useful information Daily Flow – litres/person/day for different scenarios.

12.14. International Air Pollution Prevention Certificate

12.14.1. IAPP and EIAPP certificates are to be issued in accordance with MO 97. No additional requirements.

12.14.2. Approval of the 'Technical File' for engines installed on board (as required) as required by the NOx Technical Code 2008 (Paragraph 2.3.4)

12.15. MARPOL Annex VI

12.15.1. In accordance with paragraph 2.3.1 of Annex 1 to schedule 1 of the RO agreement (page 20) an RO is authorised to:

- Issue an International Energy Efficiency (IEE) Certificate to Australian registered ships in accordance with MO 97.
- Undertake all work relating to SEEMP and EEDI.

12.15.2. The recognised organisation shall ensure that the data reported in accordance with paragraph 3 of Annex VI regulation 22A for its ships 5,000 gross tonnage and above are transferred to the IMO Ship Fuel Oil Consumption Database via electronic communication and using a standardised format to be developed by the IMO not later than one month after issuing the Statements of Compliance of these ships.

Note: It is practice for an issuing body endorsing a certificate, issuing a Statement of Compliance or reporting of information to the IMO in accordance with regulation 22A to be the same as the issuing body that originally issued the certificate under Marine Order 97.

12.16. Recreational vessels greater than 400 GT

12.15.1. Recreational vessels >400 GT must comply with MARPOL Annexes I, IV, V & VI.

12.15.2. Recreational vessels are to comply with MARPOL Annex VI Reg.13 unless the regulation provides for an exclusion.

12.17. International Oil Pollution Prevention (IOPP) arrangements and oil filtering equipment (Marine Order 91)

12.17.1. MO 91 s.7(3) provides waivers allowed under Regulation 3 of Annex I for oil filtering equipment, required under Regulation 14, the following must be adhered to:

12.17.1.1. For vessels less than 400 GT:

The Owner/vessel Manager is required to prepare and provide to the RO a risk assessment for review covering the following:

- that the vessel being fitted with a holding tank having a volume adequate for the proposed operations indicated;
- that all oily bilge water is retained on board for subsequent discharge to reception facilities;
- to ensure that adequate reception facilities are available to receive such oily bilge water in a sufficient number of ports or terminals the vessel calls at;
- the Statement of Compliance or International Oil Pollution Prevention Certificate (if requested by the owner as per Instructions to Class), when required, is endorsed to the effect that the vessel is exclusively engaged on voyages within special areas; and
- the quantity, time and port of discharge are recorded in the 'Oil Record Book Part I' or equivalent document held on board.

ROs need not submit the risk assessment to AMSA, but:

- must keep details of the risk assessment on file (the choice of media used is at the discretion of the RO);
- ensure that an appropriate entry is made in the memoranda held in the class record for the vessel;
- be able to provide access to the risk assessment on request (e.g. for audit purposes); and
- advise AMSA when such a risk assessment is undertaken on a vessel for information/record purposes.

Note: The following UI, contained within both Regulations 3 and 14 provides referencing criteria in respect of 'restricted voyages':

12.17.1.2. Unified Interpretations

"8. Conditions for waiver – Regs. 3A, 3.5, 14.5.3
The International Oil Pollution Prevention Certificate should contain sufficient information to permit the port State to determine if the vessel complies with the waiver conditions regarding the phrase "restricted voyages as determined by the Administration". This may include a list of ports, the maximum duration of the voyage between ports having reception facilities, or similar conditions as established by the Administration."

12.17.1.3. For vessels of 400 GT and above:

Such vessels may via MARPOL Annex I Reg. 14, 3.5 and subject to the conditions therein be waived from the requirements to comply with Reg. 14.1. The Unified Interpretations, clause 8, quoted above, provides clarification on the conditions under which AMSA should consider such a waiver.

With a vessel for which class is issuing statutory certification (including MARPOL), the following is advised.

Details of the information required to be considered in Annex I Reg. 14.5.3 and in '8 Conditions of Waiver' are to be submitted by the owner/ operator to the RO. When reviewing the submitted information for the vessel the details provided by the operator should also include consideration of:

12.17.3.2.1. Relocation voyages to potential different ports, and

12.17.3.2.2. Availability of dry-dock facilities (voyage duration/ overseas, etc.) for the vessel in an emergency or for intermediate/ renewal survey requirements.

Following the review, class is to advise AMSA of:

- the vessel details;
- port(s) and area(s) of operation; and
- RO recommendation as to whether or not the Waiver will be favourably considered - and if any further conditions may be required.

Note: Documentation supporting the Waiver need not be submitted to AMSA, but should be retained by the RO for record purposes and be made available on request to AMSA, if required. AMSA will then confirm/advise accordingly.

12.18. Category X prewash residues

12.18.1. ROs have authorisation to undertake:

12.18.1.1. the Functions of 'authorized surveyor' with respect of the application of subsections 1, 2, 3 and 4 of Regulation 16 of MARPOL Annex II; and

12.18.1.2. endorsement of the Cargo Record Book in accordance with subsection 7 of Regulation 16 of MARPOL Annex II.

12.18.2. ROs are to report to AMSA situations where the specifics of an exemption are not complied with by the most expedient means. The RO should suspend prewash operations pending advice from AMSA.

13. Maritime Labour Convention 2006

13.1 Certification of Regulated Australian Vessels

13.1.1. Regulated Australian vessels over 500 gross tonnage (GT) certified for unrestricted operations are required to obtain Maritime Labour Convention (MLC) certification. AMSA has authorised the Recognised Organisations (RO) as "issuing bodies" to carry out the following functions in accordance with *Marine Order (MO) 11 (Living and working conditions on vessels) 2014*:

- Inspection for issue or endorsement of a Maritime Labour Certificate.
- Review of Declaration of Maritime Labour Compliance (DMLC) Part II.
- Examination of proposed location and general arrangement of crew accommodation with respect to MLC, 2006 requirements.

13.1.2. All regulated Australian vessels are required to comply with the *Maritime Labour Convention 2006* as adopted in Marine Order 11 irrespective of size.

Note 1: The owner of a regulated Australian vessel that is not over 500 gross tonnage (GT) and certified for unrestricted operations may apply to an issuing body for a maritime labour certificate.

Note 2: The owner of a Domestic Commercial Vessel that is issued with a Maritime Labour Certificate for the purpose of making an overseas voyage for dry docking or otherwise should retain the DMLC Parts I and II on board on completion of the voyage. This may be relied upon for any subsequent issue of Maritime Labour Certificate provided that the vessel continues to comply.

The process to be followed by the RO is described below.

13.2 Interim inspection and certification

13.2.1. An Interim Maritime Labour Certificate may be issued in accordance with Standard A5.1.3, section 5 to 7, of MLC, 2006. A Maritime Labour Certificate may be issued on an interim basis under the following circumstances:

- New vessels on delivery;
- When a vessel changes flag; or
- When a vessel owner assumes responsibility for the operation of a vessel which is new to that vessel owner.

13.2.2. The validity of the Interim Maritime Labour Certificate may not exceed a period of 6 months and may only be issued subject to verification that:

- The vessel has been inspected, as far as reasonable and practicable, for the 14 areas subject to general inspection in Appendix A5-I of the MLC, 2006;
- The vessel owner has demonstrated that the vessel has adequate procedures in place to comply with Marine Order 11;
- The Master of the vessel is familiar with the requirements of Marine Order 11; and
- The vessel owner is in the process of developing a DMLC Part II and has submitted relevant information to AMSA for the development of a DMLC Part I, which may include a request for exemptions or equivalent.

13.2.3. A full inspection in accordance with Standard A5.1.3 paragraph 1 shall be carried out prior to the expiry of the Interim Maritime Labour Certificate to enable issue of a full-term Maritime Labour Certificate.

13.2.4. No further interim certificate will be issued following the initial 6-month period. A DMLC Part I need not be issued for the period of validity of the interim certificate.

13.3. Initial inspection and certification

13.3.1. The process of applying for MLC, 2006 certification and the subsequent issue of the Maritime Labour Certificate should generally follow the steps below.

13.3.1.1. The vessel owner makes application to their selected RO for MLC inspection and certification.

13.3.1.2. The owner submits all relevant information to the RO for appraisal.

13.3.1.2.1. Using the requirements in the DMLC Part I template as a guide, where exemptions or equivalents are to be sought, the vessel owner must provide evidence, including evidence of consultation with shipowner and seafarer organisations as required by the MLC, 2006.

13.3.1.2.2. Exemptions are only permitted where specifically allowed in Title 3 of the MLC, 2006 and Marine Order 11.

13.3.1.3. The RO should review any requests for exemptions or equivalents to ensure they are complete and substantiated before forwarding on to AMSA.

13.3.1.4. The owner must also complete DMLC Part II and submit to the RO for review and endorsement.

13.3.1.5. MLC forms, including DMLC Parts I and II, are available at the AMSA website at amsa.gov.au/forms

13.3.2. The RO may then conduct a formal inspection of the vessel. The inspection will cover the 16 areas subject to general inspection, as detailed in Appendix A5-I of the MLC, 2006.

13.3.3. When the RO verifies, following inspection, that the vessel and its arrangements comply with the MLC, 2006 and Marine Order 11, the RO shall forward the application, including requests for exemptions/equivalents, the endorsed DMLC Part II and the inspection report to AMSA.

13.3.3.1. AMSA assesses the content of the application, including the RO-endorsed DMLC Part II, any requests for exemptions/equivalents and the inspection report.

13.3.3.2. If any further information or clarification is required on an exemption/ equivalence request or any other documentation, AMSA will liaise with the RO who should consult the vessel owner.

13.3.3.2.1. With regard to exemptions/equivalents, when the Manager, Ship Inspection and Registration is satisfied that the requested exemption/equivalence is valid and the outcome of the consultation with the representative organisations (where necessary) is satisfactory, the RO will be informed accordingly.

The details of the exemptions/equivalents granted will be inserted in the relevant section of the DMLC Part I by AMSA. If required, the owner may need to review and resubmit the DMLC Part II to the RO.

13.3.4. When the Manager Ship Inspection and Registration is satisfied that the DMLC Part II and the inspection report are adequate, the DMLC Part I, including any exemptions/ equivalents, is finalised, signed and issued. AMSA will issue the signed DMLC Part I in soft copy through the RO. The original DMLC Part I will be forwarded to the vessel owner.

13.3.5. The RO will issue a Maritime Labour Certificate (AMSA Form 318) and provide it to the vessel owner.

13.3.6. The RO will ensure that a copy of the Maritime Labour Certificate is forwarded to AMSA.

13.4 What happens if the RO finds the vessel does not comply?

13.4.1. If during inspection for full or interim Maritime Labour Convention certification the RO identifies deficiencies that constitute a serious breach of the provisions of the MLC, 2006 or Marine Order 11 (including seafarers' rights), or represent a significant danger to seafarers' safety or health, the RO will abort the inspection and consult with AMSA.

13.5 Voluntary MLC compliance

13.5.1. The owner of a Domestic Commercial Vessel may request an RO to issue a statement of voluntary MLC compliance on behalf of the RO and not on behalf of the Commonwealth of Australia.

13.5.2. Where voluntary statements of compliance or similar are issued by an RO at the request of the owner, such document(s) will be issued under the terms and conditions of the respective RO.

13.6 Positioning of lower tier sleeping berth

13.6.1. In order to comply with Division 6 of Marine Order 11, for a double tier berth the lower tier should be at least 30cm above the deck surface, when measured from the underside of the berth.

14. Government vessels

14.1. For vessels that meet the definition at section 14 of the *Navigation Act 2012* to be a Government vessel, Marine Order 31 (SOLAS and non-SOLAS certification) applies.

14.2. Refer to the Government Vessels Exemption 2019 (available here), for details of exemptions that apply to Government Vessels.

14.3. Government vessels that do not meet the criteria to be regulated by the *Navigation Act 2012* will be regulated by the National Law.

14.4. Australian Border Force Management Plans (ABFMP)

14.4.1. Vessels used for the purposes of Australian Customs and Border Protection Service can be regulated through specific arrangements. The vessel must also be declared as a customs vessel by AMSA. (Refer to the *Navigation Act 2012* s.17 (2)).

14.4.2. A vessel management plan must be developed by agreement between ABF and an RO and accepted by AMSA.

14.4.3. The *Navigation Act 2012* at s.11 Application of Act to certain Australian Border Force vessels specifies the requirements for the vessel Australian Border Force Management Plan.

14.4.4. Reference should also be made to *Navigation Regulation 2013*, Select Legislative Instrument No 98 2013, Part 2 Divisions 2.1-2.4 relating to Customs Vessels Management Plans.

14.5. Definition of Australian Border Force vessel per s17 of Nav. Act

14.5.1. The *Navigation Act 2012* s.17 provides criteria for the definition of an Australian Border Force vessel.

15. Australian specific machinery

15.1. Noise survey report

15.1.1. All vessels are to comply with the IMO Code 'Noise Levels on Board Ships' - Res A.468(XII), as adopted by Resolution MSC.337(91).

15.1.2. The requirements of 'Recommendation on Methods of Measuring Noise Levels at Listening Posts' – Res A.343(IX) are also to be complied with.

15.1.3. New ships of 1600GT or above for which the building contract is in place on or after 1 July 2014 are to comply with SOLAS Reg II-1/3-12 (adopted by Resolution MSC.337(91) – Adoption of the Code on Noise Levels on board ships)

15.2. Ship's machinery, arrangements, lifts, ER cranes, gas welding, cutting equipment and hold access

15.2.1. All vessels are to comply with the requirements in MO 12. If full compliance is not possible, alternatives may be considered if detailed proposals can be provided to the Manager Ship Inspection and Registration. Any proposed alternatives must be based on Class Rules and Instructions and/or international standards.

15.3. Lifts

15.3.1. The RO should verify that the vessel has on board a certificate of inspection/test for all lifts fitted. The certificate is valid for 1 year from the date of inspection and can be issued by the manufacturer, or RO approved service agent, or a person or organization competent in service and inspection of lifts as fitted to the vessel. The certificate should verify compliance with MO12 and AS1735.

15.3.2. For AISR vessels (see MO 2), an alternative international standard to be applied for ships lifts is ISO 8383:1985 (Lifts on ships — Specific requirements).

15.3.3. MO 12 describes persons that are competent and or qualified to service or inspect ships lifts.

15.4. Emergency towing arrangement

15.4.1. To be fitted in accordance with SOLAS Chapter II-1 Regulation 3-4, as amended by MSC.132 (75). MO 12 requires that a SOLAS ship must meet the relevant standards for structure, subdivision, stability, machinery and electrical installations contained in Chapter II-1 of SOLAS.

15.5. Safe access to bows of tankers

15.5.1. The means of safe access to the bows of tankers must be in accordance with SOLAS Chapter II-1 Regulation 3-3. MO 12 requires that a SOLAS ship must meet the relevant standards for structure, subdivision, stability, machinery and electrical installations contained in Chapter II-1 of SOLAS.

15.6. Enhanced Survey of Bulk Carriers and Oil Tankers

15.6.1. MO 18 requires that regulation 2 of Chapter XI-1 of SOLAS must be complied with in relation to any bulk carrier and any oil tanker.

15.7. Repairs to vessels

15.7.1. All required repairs are to be carried out in accordance with Class Rules and Instructions. The RO is to inform AMSA of any temporary repairs e.g. after collision/ grounding/damage, the fitting of temporary generators/boilers or other equipment. Any proposals to undertake repairs not in accordance with Class Rules and Instructions are to be referred to the Manager Ship Inspection and Registration for review.

16. Australian specific fire / LSA requirements

16.1. SOLAS Chapter II-2: Construction - Fire protection, fire detection and fire extinction

16.1.1. The supply and pressure of the emergency fire pump for cargo ships of less than 2,000 GT are to have an alternative means of power. The emergency pump must be capable of supplying two jets of water at a minimum pressure of 0.25 N/mm².

16.1.2. The maximum pressure at a hydrant must not exceed 0.65 N/mm². Spray nozzles must produce a spray that will not disturb a film of oil on water.

16.1.3. The nozzles and fittings for deck hoses on tankers and ships with similar fire hazard must not be manufactured in aluminium alloy.

16.1.4. Portable fire extinguishers provided for use in a ship must so far as practicable have a uniform method of operation. When a ship is to be provided with a replacement or an additional extinguisher, the extinguisher must have a method of operation similar to the extinguishers already on board and, if practicable, must be of the same manufacture.

16.1.5. Fire extinguishers are to be of approved type with new and all replacement extinguishers to be compliant with requirements of MO 15. Equivalent ISO Standards may be accepted under the provisions of Schedule 2.

16.1.6. Examination and testing of fire extinguishers.

16.1.6.1. All Australian Standard fire extinguishers must be serviced, inspected, pressure tested, recharged and maintained in accordance with Australian Standards AS. 1851.1 except that a servicing period of five years is to be substituted for any servicing period of three years specified in this standard. A surveyor may specify a shorter servicing period if the extinguishers condition indicates this is required.

16.1.6.2. A fire extinguisher designed and constructed in accordance with an equivalent international standard must be serviced, inspected, pressure tested, recharged and maintained in accordance with that standard as applicable in accordance with Marine Order 31 Schedule 2 and 3.

Note 1: On a cargo ship, servicing should preferably be arranged to coincide with the renewal of the Cargo Ship Safety Equipment Certificate.

Note 2: Where servicing cannot be carried out in accordance with Australian Standards, for example where the vessel is overseas, the inspection and servicing, may be carried out by a service supplier approved in accordance with IACS UR Z17 by the RO subject to approval of the Manager Ship Inspection and Registration.

16.2. Fire detection and extinguishing systems

16.2.1. Pressure testing of gas cylinders and bulk containers.

16.2.1.1. A gas cylinder which:

- has been discharged,
- shows a loss of contents,
- shows evidence of deleterious corrosion or other physical defect,
- is due for inspection and testing in accordance with the standard that applies,

must be serviced at approved test facilities authorised under the terms of the standard that applies. The frequency and requirements of testing must be no less than that determined by MSC/Circ.1432 as amended from time to time.

16.2.1.2. A gas cylinder designed and manufactured to Australian Standard AS2030 must be serviced at a test station approved by the Standards Association under the terms of Australian Standard AS2337.

16.2.1.3. At least every 10 years, hydrostatic test and internal examination of a minimum of 10 per cent of a fixed gas fire-extinguishing systems extinguishing agent and pilot cylinders is to be carried out. If one or more cylinders fail, a total of 50 per cent of the onboard cylinders should be tested. If further cylinders fail, all cylinders should be tested;

16.2.1.4. Gas cylinders shall be marked identifying the approved test facility that has conducted service or testing.

16.2.2. **Bulk CO2 cylinders** must be hydrostatically tested at the 10th anniversary of the cylinders initial test.

16.2.3. **A galley** must have a fire blanket stowed within close proximity to any stove on which oil may be heated for cooking purposes. An RO surveyor may however permit the blanket to be stowed outside a small galley.

16.2.4. **Fixed fire detection and fire alarm system**, when carrying out a survey of the fire detection and alarm equipment of a ship the test cycle should ensure that all detectors and manual call points are tested within a five (5) year period. 20 per cent of the total number of detectors must be sample tested by means of equipment specified within SOLAS in any one cycle.

16.3. Fire test laboratories

16.3.1. Laboratories approved by Australia are listed in IMO Circular FP.1/Circ.32.

16.4. LSA systems

16.4.1. The requirements for LSA systems are covered in MO 25 with additional requirements as listed below. The requirements for approval of overseas servicing of Life Saving Appliances and ILSTO's are referenced at section 4 'Approvals'.

16.4.2. SOLAS Chapter III: Life-saving appliances and arrangements. A cargo ship must be provided with two (2) lifejackets for every person the ship is certified to carry. One is to be stowed in the cabin and the other in a working space or other readily accessible position. Further the requirements of IMO Resolution MSC.207 (81) ADOPTION OF AMENDMENTS TO THE INTERNATIONAL LIFE-SAVING APPLIANCE (LSA) CODE: as amended by MSC.218(82),MSC.272(85) and MSC.293(87)

16.4.3. **Lifejackets** shall be provided in three sizes in accordance with table below. If a lifejacket fully complies with the requirements of two adjacent size ranges, it may be marked with both size ranges, but the specified ranges shall not be divided. Lifejackets shall be marked by either weight or height, or by both weight and height, according to table below.

Life jacket marking	Infant	Child	Adult
Weight (kg)	Less than 15	15 or more but less than 43	43 or more
Height (cm)	Less than 100	More than 100 but less than 155	155 or more

16.4.4. **Lifejacket sizing criteria,** if adult lifejackets on board are not suitable or designed for persons weighing up to 140 kg and with a chest of up to 1,750 mm, suitable accessories shall be available to allow it to be secured to such persons. The number of suitable accessories required shall be determined by a documented risk assessment.

16.5. Distress flares and smoke signals

16.5.1. In addition to the requirements of MO 25, distress flares and smoke signals must be marked with a date of manufacture and a date of expiry. The date of expiry should not be more than 36 months from the marked date of manufacture. The signal is to be replaced where no date of manufacture is marked or it is more than 36 months old. If the marked expiry date includes only the month and year of manufacture or expiry, the expiry date will be the last day of the month so marked.

16.6. Arrangements for fuel oil, lubricating oil and other flammable oils used as fuel

16.6.1. In addition to the requirements of MO 25, fuel oil with a flash point of not less than 43°C must be used in motor lifeboat engines and emergency generators.

16.6.2. A rescue boat may use oil fuel with a flash point of less than 43°C if it is fitted with a petrol-driven outboard engine with an approved fuel system and the fuel tank/s are specially protected against fire and explosion.

16.7. EPIRB in Life rafts

16.7.1. In addition to the requirements of MO 25, life rafts must include an EPIRB. These EPIRBs must be a 406MHz type complying with AS/NZ 4280.1 for a class 3 beacon as a minimum. However, as a Class 3 beacon may not be suitable for operation in temperatures below -20ºC, vessels which may operate in such conditions are to have an EPIRB compliant with section 2.5 of IMO Res. A. 810(19) as amended by MSC 56(66) and MSC 120(74).

16.8. Transferability of Life rafts

16.8.1. A life raft weighing more than 185kg is not considered as being readily transferable, unless some means, such as trolley is provided to facilitate transfer by no more than two (2) persons against a list. Such transfer arrangements must have a free means of access from side to side and suitable launching arrangements at either side with appropriate lighting. The transfer of life rafts through accommodation or superstructures is not considered free mean of access.

16.9. Lifeboat falls

16.9.1. Wire ropes used as lifeboat falls are to be inspected and renewed as specified in MSC.216 (82). The inspection of the wire is to be in accordance with MSC.1/Circ.1206.Rev1.

16.9.2. If a manufacturer, or person appropriately trained and certified by the manufacturer, is not available to conduct the inspection, the inspection is to be carried out by an experienced person, holding an appropriate qualification that must be acceptable to the Manager, Ship Inspections and Registration.

16.10. Immersion Suits (Anti Exposure Suits)

16.10.1. MO 25 and SOLAS III/7.3, 22.4 and 32.3 do not require the carriage of immersion suits, anti-exposure suits or thermal protective aids if the vessel is engaged on voyages only in areas where the average monthly sea water temperatures are more than 15°C.

16.10.2. The Bureau of Meteorology (BOM) data can be used for access to current sea temperature information and data for the Australian region at www.bom.gov.au/oceanography/forecasts/.

16.10.3. The master must undertake a documented risk assessment to determine whether or not immersion suits or TPAs are required, and appropriate records maintained within the voyage planning system.

16.10.4. Where the average monthly sea water temperature is 15°C or less immersion suits at work stations are required, as appropriate.

16.10.5. AMSA considers the bridge and engine room as work stations and requires immersion suits at these areas according to the manning levels of the vessel.

16.10.6. The number of immersion suits, in this regard, should be assessed on the same basis as lifejackets.

16.10. 7. In addition, AMSA considers the forecastle workshop of a cargo ship as a work station in the case of a forward life raft being required.

16.11. Medical Stores

16.11.1. The RO should verify that the vessel has on board a certificate that the on board medical equipment complies with MO 11.

16.12. SOLAS Chapter V and MO 21

16.12.1. As this chapter applies to all vessels, compliance with MO 21 should be verified for all vessels receiving certification by an RO on behalf of AMSA.

16.12.2. For the purpose of MO 21 section 29.2 , AMSA currently accept KR Con and Regs4Ships as electronic publications.

16.13. Use of ISO Standards

16.13.1. All ROs should seek clarification from the Manager Ship Inspection and Registration on the use of ISO Standards in of lieu of similar Australian Standards for specific Australian requirements for fire fighting appliances and LSA requirements.

17. Cargo related

17.1. Safe access to a vessel's cargo holds

17.1.1. These arrangements are to be in compliance with MO 32. ROs are authorised to act on behalf of AMSA in examining the hold access ladder arrangements in accordance with MO 32 and issuing a suitably worded 'Statement of Compliance' or equivalent in respect of the arrangements for Australian Flagged vessels.

17.1.2. AMSA does not provide an authorisation to examine arrangements under MO 32, in respect of foreign flagged vessels as that is beyond our jurisdiction.

17.1.3. If requested by non-Australian flagged vessels, ROs would therefore need to issue an appropriately worded 'Statement of Compliance' or equivalent under RO Terms and Conditions of business.

17.2. Document of Compliance for ships carrying dangerous goods

17.2.1. To be provided in accordance with the provisions of MO 41.

17.3. Document of Authorisation for the carriage of grain

17.3.1. To be provided in accordance with the provisions of MO 33.

17.4. Bulk cargo operations booklet

17.4.1. To be provided in accordance with MO 34.

17.5. Cargo Securing Manual

17.5.1. To be provided in accordance with MO 42.

17.6. Certificates associated with the International Maritime Solid Bulk Cargoes Code (IMSBC Code)

17.6.1. A RO may issue a certificate of compliance with the IMSBC code. It is not an AMSA requirement for a vessel to have such a certificate.

17.6.2. Vessels that have been specially constructed or fitted in accordance with 7.3.2 of the IMSBC Code are to be assessed in accordance with 7.3.2.3 of the IMSBC Code and the assessment provided to Manager Ship Inspection and Registration in addition to the information and documentation required by 7.3.2.4 of the IMSBC Code. The plan of special arrangements and details of the stability conditions on which the design has been based are to be assessed for suitability of approval prior to submission. Upon receipt of Manager Ship Inspection and Registration acceptance of the arrangements, the RO shall issue a statement of compliance as evidence of the Administration's approval and approve the plan of special arrangements and details of the stability conditions on which the design is based, in accordance with 7.3.2 of the IMSBC Code.

17.6.3. Vessels intended to carry goods classified as dangerous goods in solid form in bulk, as defined by SOLAS VII/7 must be issued with a Document of Compliance, as applicable to the age and size of the ship, in accordance with SOLAS II-2/19 (see 17.2).

17.7. Containers, offshore containers, portable tanks and portable tank containers (BK1 & BK2), ACEP

17.7.1. To be provided in accordance with MO 41, MO 42 and MO 44. In addition RO's should note the sections of MO44 pertaining to portable tanks and tank containers, Type approval of containers, offshore containers portable tank containers and Bulk Containers (BK1 and BK2).

17.7.2. Also MO 44 refers to the Approval of Continuous Examination Programme (ACEP) as detailed in Annex 4 of the Convention.

17.8. EGC, GC and IGC - Certificate of Fitness for a Gas Carrier

17.8.1. To be provided in accordance with MO 17.

18. Tonnage

18.1. International Tonnage Certificate

18.1.1. International Convention on Tonnage Measurement is to be interpreted in accordance with TM5/Circ.6.

18.1.2. For both existing vessels or new constructions that are transferring to either of the Australian registers:

18.1.2.1. Where construction is sufficiently advanced to accurately determine the volumetric arrangements on the vessel in order to establish a Tonnage Measurement, a 'Statement of Compliance for Tonnage' or equivalent issued by the RO may be submitted to AMSA FSC / SRO for the purpose of registration.

18.1.2.2. For 18.1.2.1 above, the RO must form the opinion that the Tonnage Measurement will be the same as will appear on the statutory '69 ITC Certificate issued in accordance with MO 19 (https://www.legislation.gov.au/Details/F2014L01101) – s.8(1) against the criteria in s.10.

18.1.2.3. Where a vessel undergoes a transfer of Class (ToC) and/or a change of flag (CoF) the gaining class society is to ensure that the information/calculations required by Article 10 (3) of International Convention on Tonnage Measurement of Ships, 1969 are transferred from the losing class society to ensure continuity of the tonnage records for the vessel.

18.2. Suez and Panama Tonnage Certification

18.2.1. AMSA has no objection to owners of Australian vessels seeking Suez or Panama Tonnage Certificates.

18.2.2. Owners are to provide the required information in line with the respective Administrations requirements to the appointed RO authorised to undertake the tonnage measurements.

18.2.3. Costs associated with the service provided is between the RO and the Australian Owner in line with the Terms and Conditions for the provision of Suez and Panama Tonnage Measurement Certificates.

19. Stability

19.1 Damage stability for passenger ships

19.1.1. No additional requirements to MO 12.

19.2 Damage stability for cargo ships and offshore supply vessels

19.2.1. No additional requirements to MO 12.

19.3 Intact stability data

19.3.1. Any departure from the requirements of MO 12 must be referred to the Manager Ship Inspection and Registration.

19.3.2. Inclining experiment and stability data complying in full with the relevant annexes to IMO Resolution MSC.267(85)) 2008 International Code on Intact Stability may be approved by societies subject to the following:

19.3.2.1. The Manager Ship Inspection and Registration must be informed in advance of, and agreement obtained for inclining by liquid transfer.

19.3.2.2. Where total liquids on board exceed 25% of lightship displacement, approval from the Manager Ship Inspection and Registration must be sought.

19.3.2.3. The Manager Ship Inspection and Registration must be informed in advance of, and agreement obtained for use of heel measuring device other than pendulum.

19.3.2.4. Where {w.d}/x values depart from the mean by more than 5%, the as inclined GM must be determined by the lower bound of a 95% confidence interval applied to the sample of GM values from all movements of all pendulums to ensure that safety is not prejudiced by that departure.

19.3.3. The society may only issue a full term Load Line Certificate to a ship when its stability data has been approved.

19.3.4. The Manager Ship Inspection and Registration may consider, on request by the RO, equivalent criteria nominally based on MSC.1/Circ.1281 – Explanatory Notes to the International Code on Intact Stability, 2008 as amended.

20. International Safety Management (ISM)

20.1 ROs undertaking ISM audit and certification services for the issue of Safety Management Certificates and Documents of Compliance under Marine Order 58

20.1.1. AMSA has granted authorisation to ROs, by amendment to the schedule to the RO Agreements, to provide audit and certification services for the issue of Safety

Management Certificates and Documents of Compliance. This will commence with full effect from 1 July 2020.

20.1.2. The RO is to inform AMSA immediately when requested to conduct an ISM code related audit for an Australian operator.

20.1.3. AMSA requires the following information and documentation be provided to AMSA by post or email (ism@amsa.gov.au):

- ISM audit (SMC and DOC) reports, including non-conformances and observations for review and comment, following the conclusion of the audit process.
- Any evidence related to closing out of findings arising out of the audits.
- Copies of all certificates issued by the RO.

20.1.4. In the case of the identification of any major non-conformity, AMSA must be informed immediately via email to ism@amsa.gov.au and fsc@amsa.gov.au. During working hours this should be supplemented by a phone call to either Inspections or ISM teams.

20.1.5. AMSA reserves the right to attend any audit.

20.1.6. ISM exemptions may only be issued by AMSA. Requests should be emailed to: ism@amsa.gov.au.

20.2 Cyber Security

20.2.1. ROs should be aware that MSC.428 (98) recommends that the operator's SMS cover cyber risks no later than the first verification of the DOC. From 1 January 2021, ROs will need to ensure that operators comply.

20.2.2. ROs must ensure that the safety management system covers all functional elements, as outlined in MSC-FAL.1/Circ.3:

- Identify
- Protect
- Detect
- Respond
- Recover.

21. Sulphur Oxides – MARPOL Annex VI Regulation 14

21.1. Complying with new sulphur limits

21.1.1. New MARPOL regulations on the use of low sulphur fuel came into effect on 1 January 2020. From 1 January 2020, all ships will be required to comply with the new 0.50 per cent m/m fuel oil sulphur limits, and from 1 March 2020 ships may only carry non-compliant fuel oil if fitted with an approved Exhaust Gas Cleaning System (EGCS).

21.1.2. An approved Exhaust Gas Cleaning System is an equivalent means of compliance approved by the Administration under Regulation 4 of Annex VI of MARPOL.

21.2. Equivalent means of compliance

21.2.1. Regulation 4 of Annex VI to MARPOL allows the use of an alternative compliance method at least as effective in terms of emission reductions as that required by MARPOL Annex VI. This is the mechanism that will allow EGCS to be used once the EGCS itself has been tested and certified.

21.2.2. In accordance with your Agreement with AMSA, recognised organisations (RO) are authorised as follows:

- section 9.4 - approve material and equipment;
- Annex 1 - survey and inspection in accordance with MARPOL, and survey for endorsement of an International Air Pollution Prevention Certificate.

21.2.3. Your Agreement, at section 5.3.1, also advises that AMSA is responsible for approval of equivalent means of compliance in the first instance (subsequent approvals can then be issued by recognised organisations). An application for an Equivalent Means of Compliance is to be made using the standard process for approval by AMSA. All relevant documentation should be provided.

21.2.4. Compliance by use of LNG fuel

21.2.4.1. Where a vessel is meeting the 0.50 per cent m/m fuel oil sulphur limits by using LNG as a fuel, the vessel must be in compliance with the Part G of SOLAS (regulations 56 and 57) and International Code of Safety for Ships using Gases or other Low-flashpoint Fuels (IGF Code). In addition, training is required to comply with Part D of the IGF Code, specifically:

- Officers and Ratings who are responsible for designated Safety Duties on an IGF Ship must carry a valid Certificate of Proficiency (COP) issued after the completion of Basic Training as described in paragraph 1 of section A-V/3 of the STCW Code. A COP issued in accordance with paragraph 2 and 5 1 of Regulation V/I-2 of STCW is deemed to meet this requirement by many administrations.
- The master, Chief Mate, Chief Engineer and Engineering Officers (with immediate responsibility for the care of the fuels and fuel systems subject to the IGF code) are to have completed advanced training course as specified in paragraph 2 of A-V/3 and table A-V/3-2 of the STCW Code. A COP for advanced training in liquefied gas tanker operations issued in accordance with paragraph 2 and 5 1 of Regulation V/I-2 of STCW is deemed to meet this requirement by many administrations.

21.2.5. Compliance using EGCS

21.2.5.1. With respect to the approval of EGCS fitted to Australian flagged ships, the following is to be applied:

- EGCS are to be assessed for approval under the 2015 Guidelines for Exhaust Gas Cleaning Systems as adopted by Resolution MEPC.259(68) (in accordance with section 33A of Marine Order 97);
- The RO may issue documents required by the 2015 Guidelines for Exhaust Gas Cleaning Systems on behalf of AMSA;
- Initial nitrate data, post commissioning is to be assessed and on board within three months, and this requirement is to be included as a condition of the issue of documents;
- As part of the approval process the power requirements of the EGCS are to be verified, to confirm the ship still complies with regulation 41 of Chapter II-1 of SOLAS; and
- If the RO receives an application for approval for use of an open loop EGCS on an Australian Ship the Manager Ship Inspection and Registration is to be advised and authorisation sought before any approval is given.

21.2.5.2. An application for an Equivalence is to be made using the process outlined in section 5.

21.3. Sampling of discharge water from Exhaust Gas Cleaning Systems

21.3.1. Proposed amendments to section 10.1.5.2 of the Guidelines for exhaust gas cleaning systems will require a sample of discharge water from each EGCS to be drawn and analysed for nitrate content within the first three months of operation after installation/ initial survey and three months prior to each renewal survey.

21.3.2. Recognised Organisations should be aware that:

- once a survey is completed after installation of the EGCS an IAPP Certificate will be issued;
- where there is no data on board the vessel of the wash water analysis (nitrate discharge rate assessment), then the RO will be required to issue a Short Term IAPP (for 5 months) to allow enough time for the data to be prepared and checked and placed on board. On completion a full term certificate may be issued;
- ROs are to ensure that a sample of discharge water from each EGCS is taken and analysed for nitrate content, by the ship, within the first three months of operation, and provided to the RO. Once the sample has been assessed as compliant, the full term IAPP can be issued; and
- a sample of discharge water from each EGCS is to be drawn and analysed for nitrate content, by the ship, and provided to the RO three months prior to each renewal survey. If this sample is not provided AMSA should be advised.

22. Miscellaneous

22.1. Letters of Acceptance for Foreign Flagged Vessels to operate in Australian waters under Marine Order 50

22.1.1. AMSA through Marine Order 50 has made compliance with the Special Purpose Ship Code (SPS Code) mandatory for foreign vessels on voyages starting or ending at a port in Australia or an Australian Territory (see the application provision of MO 50 section 8(b)). SPS Code for the purpose of these instructions refers to the SPS Code or 2008 SPS Code, whichever is applicable, depending on the date the keel was laid.

22.1.2. AMSA recognises that the IMO SPS Code is a recommendatory Code and its implementation/adoption by other flag Administrations is at their discretion.

22.1.3. Foreign flagged vessels that are fully certified in accordance with the SPS Code are not subject to the requirements of this section.

22.1.4. To allow foreign flagged non-SPS Code compliant vessels to operate for a specified period of time in Australian waters, Operators may apply to AMSA for a Letter of Acceptance (LoA).

22.1.4.1. The list of documents below (in 22.1.4.2) should be submitted for consideration in relation to a request for an AMSA LoA for a foreign flagged non-SPS Code compliant vessel wishing to operate in Australian waters as if it were an SPS vessel. (Marine Order 50 - 11 Compliance with the SPS Code).

22.1.4.2. For a gap analysis the following documents/ plans/information must be provided to AMSA:

Owner

- Vessel's scope of work and duration in Australian waters,
- Vessel's datasheet/ specification,
- General Arrangement plan,
- Master's declaration regarding induction, training and drills including that for project personnel,
- Copy of training and induction forms,
- Master's Declaration regarding safety equipment certificate,
- Drill matrix for the vessel,
- Training/qualification matrix for all project personnel and marine crew training.

Note: AMSA requires that all personnel on board the foreign vessel hold valid medicals and minimum valid STCW Certificate of Safety Training (or flag Administration equivalent) qualification in relation to Chapter VI section A VI/1 of STCW for the duration of the deployment in Australian waters.

Foreign vessel RO

- Vessel DMLC Part II,
- Copy of the vessel's MLC Certificate,
- Copy of the valid ship's Cargo Ship Safety Certificate(s) and Record of Equipment and any documented exemptions,
- Statement of extent of compliance with the SPS Code 1983, IMO Res. A.534 (13) as amended from time to time,
- Vessel's approved Fire & Safety Plan.

22.1.4.3. Allow 6-8 weeks for processing (this timeframe may be quicker depending on workload within the FSC area).

22.2. Large commercial yachts and training vessels Marine Order 52 (MO52).

22.2.1. Marine Order 52 provides requirements principally for the survey and certification of:

- Large yachts over 24m in length through the adoption and implementation of the UK MCA Large Commercial Yacht (LY3 Code) as modified by the Australian National Annex to the Large Commercial Yacht Code (LY3), and
- Training vessels whether principally powered by sail, motors or a combination sail/ power systems, of all lengths.

22.2.2. Yachts of less than 24m in length are to be addressed via the survey and certification provisions of Marine Order 31.

22.2.2.1. AMSA has not given effect to the Red Ensign Group's: A Code of Practice for yachts carrying 13 to 36 Passengers (The Passenger Yacht Code), and it is not available to Australian Owned/ Registered Yachts.

22.2.3. Yachts identified under 1(a) may be principally certified as either:

22.2.3.1. Unrestricted (Class 2A), or

22.2.3.2. Short Range Yachts (Class 2A*) as defined by section 2.2 of the LY3 Code.

22.2.4. Yachts may also hold additional certification for other operations e.g. corporate day charter work in Sydney etc, where more than 12 day passengers may be embarked. Such yachts are to be subject to the survey and certification requirements of Marine Order 31, Schedule 2, 2.1 as applicable for a non-SOLAS passenger ship operation.

22.2.4.1. Owners of yachts wishing to hold a Certificate of Survey for a Passenger Ship are to be advised that they will be required to have ISM certification in accordance with MO 58 and should contact their nearest AMSA Office and also ism@amsa.gov.au to discuss requirements.

22.2.4.2. Yacht owners are to be reminded that non-SOLAS Passenger Ship safety certificates of the type described in 3.1 are only valid for domestic operations within Australia.

22.2.4.3. The Owner of a yacht wishing to carry more than 12 passengers on overseas voyages must comply with SOLAS as applicable.

22.2.5. Details of the certification requirements for yachts may be found principally in Table 1 of the Australian National Annex to the Large Commercial Yacht Code (LY3), available at amsa.gov.au/australian-regulation-large-yachts-training-vessels-and-ly3-code.

22.2.5.1. Table 2 of the document above provides a list of miscellaneous certificates to be carried for information purposes.

22.2.5.2 . New yachts are to be designed, constructed, surveyed and certified in accordance with the LY3 Code (s.3.3.3) as modified by the Australian National Annex to the Large Commercial Yacht Code (LY3).

22.2.5.3. Requests for exemptions and equivalences are to be addressed via the requirements in MO 52 and in accordance with section 5 of these instructions.

22.2.5.4. The granting of exemptions will be limited by the extent to which international conventions allow and should be regarded as exceptional.

22.2.6. Requests for exemptions and equivalences are to be addressed via the requirements in MO 52 and in accordance with section 5 of these instructions Certification under MO52.

22.2.6.1. A large commercial yacht, depending upon its tonnage, requires the certificates as identified in section 4 of MO 52.

22.2.6.2. Existing yachts seeking to transfer to the certification system under MO 52 in accordance with the LY3 Code (s.3.3.3) as modified by the Australian National Annex to the Large Commercial Yacht Code (LY3) will require a gap-analysis to be undertaken and proposals developed to bring the vessel into compliance where any non-compliances are identified – See also LY3 s.3.3.3.1.

22.2.6.3. Requests for exemptions and equivalences, refer to s.5.1 and 5.2 above.

22.3 Electronic Certificates

22.3.1. Recognised Organisations are permitted to issue only those Statutory Electronic Certificates as detailed in IMO "List of Certificates and Documents required to be carried on board ships 2017" provided within FAL.2/Circ.131, MEPC.1/Circ.873, MSC.1/Circ.1586, LEG.2/Circ.3 dated 19 July 2017, as amended and for which they are authorised within the AMSA RO Agreement.

22.3.1.1. The electronic certificates must include as a minimum the security features as detailed in IMO "Guidelines for the use of Electronic Certificates"(FAL.5/Circ.39/Rev.2)

22.3.1.2. In situations necessitating issuance of a short term certificate by an RO, on authorisation by AMSA, the RO may issue a short term statutory certificate and the necessary attachments to the certificate in electronic format and ensure that the details of same is available on their portal. The RO issuing the short term certificate shall immediately inform the RO which has issued the full term certificate, if the two parties are different.

- The RO is required to ensure that the full term certificate is withdrawn from their online system upon issue of the short term. The online system shall appropriately indicate the full term certificate withdrawal.
- Subsequently when a RO issues the full term certificate, it is required to inform immediately to the RO which had issued the short term certificate so that short term certificate can be withdrawn.

22.3.1.3. The RO that issues a statutory electronic certificate to an Australian registered vessel shall ensure that:

- A copy or notification of the issued or endorsed electronic certificate is to be forwarded to AMSA FSC upon issue in accordance with s.10.5 of the Agreement.
- All electronic certificates are to be made available, viewable and printable by AMSA at all times.

22.3.1.4. The RO shall provide instructions to AMSA FSC on the verification process to ensure the validity of the relevant electronic certification. These instructions shall also be provided and maintained on board the vessel to which the certification is issued.

22.3.1.5. Prior to issue of an electronic certificate to a Australian registered vessel the RO should verify that the owners and operators who intend to carry and use electronic certificates on board have means in place to ensure that these certificates are controlled through the Safety Management System, as described in section 11 pertaining to Documentation control within the ISM Code.

22.3.1.6. AMSA will continue to issue certificates in paper format. Subsequent issue of exemptions as per Chapter 5 paragraph 3 of this ITC may be issued by the RO in electronic format in accordance with this Chapter.