



Australian Government
Australian Maritime Safety Authority

AMSA EX03

Marine Safety (Certificates of operation) Exemption 2014

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

30 October 2014

Michael Kinley
Chief Executive Officer

1 Name of instrument

This instrument is *Marine safety (certificates of operation) Exemption 2014*.

2 Duration

This instrument:

- (a) commences when it is made; and
- (b) ceases to have effect at the end of 30 June 2018.

3 Repeal

Marine Safety (Certificates of operation) Exemption 2013 is repealed.

4 Definition

In this instrument:

auxiliary vessel means a vessel that:

- (a) does not operate further from its parent vessel than:
 - (i) if it does not carry passengers — 5 nautical miles; or
 - (ii) if it carries passengers — 2 nautical miles; or
 - (iii) another distance determined by the National Regulator; and
- (b) is less than 7.5 m long, or another length determined by the National Regulator; and
- (c) carries up to 12 passengers, or another number determined by the National Regulator; and
- (d) is not powered by a petrol inboard engine.

tender means a vessel that:

- (a) is used only to transport goods or people between the shore and its parent vessel or between its parent vessel and another vessel; and
- (b) does not operate further from its parent vessel than 1 nautical mile, or another distance determined by the National Regulator; and
- (c) is less than 7.5 m long, or another length determined by the National Regulator.

5 Exemption for vessels being moved for certification

- (1) This section applies to a domestic commercial vessel that is being moved for the purpose of obtaining a certificate of survey or certificate of operation.
- (2) The vessel is exempt from the requirement to have a certificate of operation.
- (3) The exemption expires when the vessel is returned after the survey or other process has been completed.
- (4) The exemption is subject to the condition that the vessel must be moved and returned by the most direct and practical route.

6 Exemption for tenders and auxiliary vessels

- (1) This section applies to a tender or an auxiliary vessel that:
 - (a) is listed in its parent vessel's certificate of operation; and
 - (b) has its operational risks addressed in the parent vessel's safety management system; and
 - (c) complies with crewing requirements mentioned in NSCV Part E.
- (2) The vessel is exempt from:
 - (a) for a tender — the requirement to have a certificate of operation; or
 - (b) for an auxiliary vessel — the conditions mentioned in section 11 (Conditions on certificate) of *Marine Order 504 (Certificates of operation — national law) 2013*.