



Australian Government
Australian Maritime Safety Authority

AMSA EX2013/23

Marine Safety (Vessels or crew without certificates) Exemption 2013

as amended

This compilation was prepared on 25 October 2013 taking into account amendments up to *Marine Safety (Vessels or crew without certificates) Exemption Amendment 2013 (No.1)*.

Prepared by the Office of Legislative Drafting, Australian Maritime Safety Authority

I, Graham Peachey, 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*.

21 June 2013

Graham Peachey
Chief Executive Officer

1 Name of instrument

This instrument is the *Marine Safety (Vessels or crew without certificates) Exemption 2013*.

2 Duration

This instrument:

- (a) commences on 1 July 2013; and
- (b) ceases to have effect at the end of 30 June 2016.

3 Definitions

In this instrument:

national law means the *Marine Safety (Domestic Commercial Vessel) National Law*.

Note **National Regulator** is defined in the national law.

4 Exemption

- (1) A domestic commercial vessel that was entitled to operate on 30 June 2013 without any certification under the law of the State or the Northern Territory in which it was entitled to operate is exempt from the application of the national law to the extent that the national law requires vessel identification, a certificate of survey or a certificate of operation.
- (2) A person who was entitled to, and did, perform duties or functions on 30 June 2013 on a domestic commercial vessel without any certification under the law of the State or the Northern Territory in which he or she performed the duties or functions is exempt from the requirement to hold a certificate of competency under the national law that would be required for performance of those duties or functions.

5 Conditions

- (1) For a vessel, the exemption is subject to the following conditions:
 - (a) the vessel must comply with the national law other than to the extent to which it is exempt; and
 - (b) before 30 June 2014, the owner of the vessel must tell the National Regulator in writing:
 - (i) the name, address, phone number and email address (if any) of the owner; and
 - (ii) the kinds of operations for which the vessel is being used; and
 - (iii) the operational area of the vessel.
- Note:* **owner** of a vessel includes a person with overall general control and management of the vessel — see national law, s 6.
- (2) For a person, the exemption is subject to the following conditions:
 - (a) the person must comply with the national law other than to the extent to which he or she is exempt; and
 - (b) before 30 June 2014, the person must tell the National Regulator in writing:
 - (i) the person's name, address, phone number and email address (if any); and
 - (ii) the duties or functions that the person was entitled to perform on 30 June 2013 on domestic commercial vessels; and
 - (iii) the duties or functions that the person continues to perform on domestic commercial vessels.