

# AMENDMENTS TO THE UNIFORM SHIPPING LAWS CODE

## Amendment List 9 – September 2010

This list contains amendments adopted by the Australian Transport Council on **24 September 2010**, to the *Uniform Shipping Laws Code (USL Code)*.

### Contents

	Page
1. Commencement	2
2. Application of amendments	2
3. Amendments to Section 10	3
4. Amendments to Section 13	5

## 1. Commencement

- (1) The amendments contained in this Amendment List 9 apply from the:
  - a. the date that Edition 3 of Part C Section 7A of the National Standard of Commercial Vessels is adopted by the Council of Ministers; or
  - b. the date that an order declaring that this Amendment List 9 is a provision of the USL Code is published in the Gazette pursuant to the *Navigation Act 1912* (Cth),

whichever is the later date.

## 2. Application of Amendments

- (1) Subject to clause 2(2), the amendments contained in this Amendment List 9 shall apply only to:
  - new vessels;
  - existing vessels subject to initial survey (being a vessel which is investigated and verified for the first time as meeting prescribed standards); and
  - existing vessels subject to upgrade in service to the extent that for the upgrade the Authority requires all or part of the ship to be investigated and verified that it meets prescribed standards.
- (2) Despite clause 2(1) above, applicable legislation or an Authority may require existing vessels to comply with the USL Code as amended by Amendment List 5, Amendment List 6, Amendment List 7, Amendment List 8 or this Amendment List 9.
- (3) For the purposes of this clause 2, a new vessel is one the keel of which is laid, or:
  - construction identifiable with the particular vessel has begun; and
  - a portion of the vessel has been fabricated and finally assembled, having a mass of not less than the lesser of—
    - a) 50 tonnes; or
    - b) one per cent (1 per cent) of the estimated mass of all structural material of the vessel as proposed to be completed,on or after 1 October 2010.
- (4) For the purposes of this clause 2, an existing vessel is one which is not a new vessel.
- (5) The amendments contained in this Amendment List 9 apply in all jurisdictions unless otherwise specified to apply in a particular jurisdiction or in particular jurisdictions.

### 3. Amendments to Section 10: Safety Equipment

- (1) Part 2, clause 5, South Australia

*Omit the text of clause 5. Insert instead:*

Vessels must comply with the requirements of Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers, which relate to the design and construction, installation and servicing of safety equipment.

With the following notes added to Clause 1.1, Scope, of the referenced NSCV Part C Section 7A:

NOTES:

1. Part C Section 7 Section 7A of the NSCV includes the requirements to cover both:
  - Section 10, Life Saving Appliances, and
  - those parts of Section 13 which also impose safety equipment obligations.
2. In South Australia, the type and quantity of equipment requirements contained in the NSCV Part C Section 7A apply in the replacement of the USL Code Section 13, but do not apply in the replacement of Section 10.
3. In South Australia, Section 10 Part 3 has not been replaced by the NSCV, however the requirements previously contained in Section 10 Part 3 relating to Emergency Electrical Installations have been deleted from Section 10 Part 3 and are now covered by the amended Section 9.
4. The Chapters, Clauses and Annexes of the NSCV Part C Section 7A applicable in South Australia shall be interpreted in accordance with the NSCV Part C Section 7A, Chapter 1.

- (2) Part 3, all jurisdictions except South Australia and Queensland

*Omit the text of Part 3. Insert instead:*

Vessels must comply with Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.

(3) Part 4, South Australia

*Omit the text of Part 4. Insert instead:*

The safety equipment a vessel is required to carry under this Section 10 must comply with the requirements contained in Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers, which relate to the design and construction, installation and servicing of safety equipment.

(4) Appendix R, all jurisdictions except South Australia and Queensland

*Omit the text of Appendix R. Insert instead:*

Vessels must comply with Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.

(5) Appendix R, South Australia

*Omit the text of Appendix R. Insert instead:*

The design and construction, installation and servicing of safety equipment must comply with the requirements contained in Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.

(6) Appendix V, all jurisdictions except South Australia and Queensland

*Omit the text of Appendix V. Insert instead:*

Vessels must comply with Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.

(7) Appendix V, South Australia

*Omit the text of Appendix V. Insert instead:*

The design and construction, installation and servicing of safety equipment must comply with the requirements contained in Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.

#### **4. Amendments to Section 13: Miscellaneous Equipment**

- (1) Part 2, clause 8

*Omit the text of Part 1. Insert instead:*

Vessels must comply with Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.

- (2) Part 2, clause 9

*Omit the text of clause 7. Insert instead:*

Vessels must comply with Part C, Section 7A of the National Standard for Commercial Vessels, as adopted by the Council of Ministers.