



Australian Government
Australian Maritime Safety Authority

AMSA EX26

Marine Safety (Expired certificates) Exemption 2017

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

12 December 2017

Gary Prosser
Acting Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Expired certificates) Exemption 2017*.

2 Duration

This instrument:

- (a) commences on 1 February 2018; and
- (b) ceases to have effect at the end of 30 June 2020.

3 Repeal

Marine safety (expired certificates) Exemption 2013 made on 26 July 2013 is repealed.

4 Application of instrument

This instrument applies to a person:

- (a) who held a certificate of competency (however described), issued by the maritime safety authority of a State or the Northern Territory, that expired before 30 June 2013 and was not previously a perpetual certificate; and
- (b) who applies for a certificate of competency that is an equivalent qualification, in accordance with Schedule 3 of Part D of the NSCV, to the certificate mentioned in paragraph (a); and

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- (c) if the National Regulator is satisfied that, since the expiry, the person has met the criteria for renewal of the certificate of competency for which the person applies.

Note **National Regulator** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 6 of Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

5 Exemption

The person is exempt from the requirement to meet the following criteria for the certificate of competency:

- (a) evidence of completion of a course, mentioned in paragraph (a) of the item in Schedule 1 to Part D of the NSCV, that relates to the certificate; and
- (b) for a certificate of competency mentioned in Subdivision 5.2 of *Marine Order 505 (Certificates of competency — national law) 2013* — sea time requirements;
- (c) if the certificate of competency mentioned in paragraph 4(a) expired after 30 June 2008:
- (i) for a certificate of competency mentioned in Subdivision 5.2 of *Marine Order 505 (Certificates of competency — national law) 2013*:
- (A) colour vision test;
- (B) vision test;
- (ii) for a certificate of competency mentioned in Subdivision 5.3 of *Marine Order 505 (Certificates of competency — national law) 2013* — sea time requirements, if the person meets the requirements mentioned in sections 29 and 30 of *Marine Order 505 (Certificates of competency — national law) 2013* that would apply if the person were renewing a certificate of competency under that Subdivision;
- (iii) final assessment.
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