



Australian Government
Australian Maritime Safety Authority

AMSA EX 2013/26

Marine safety (expired certificates) Exemption 2013

I, John Fladun, General Manager, Domestic Vessels Division and a delegate of the 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*.

26 July 2013

John Fladun

General Manager, Domestic Vessels Division

1 Name of instrument

This instrument is *Marine safety (expired certificates) Exemption 2013*.

2 Duration

This instrument:

- (a) commences on 26 July 2013; and
- (b) ceases to have effect at the end of 1 July 2018.

3 Definitions

In this instrument:

Marine Safety (Domestic Commercial Vessel) National Law — see Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

Note ***National Regulator*** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 6.

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

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- (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
 - (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.

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.