



**Australian Government**

**Australian Maritime Safety Authority**

AMSA EX31

### **Marine Safety (Expired pre-USL Code certificates) Exemption 2025**

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I, Kaylene Dale, 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*.

Dated 11 June 2025

**Kaylene Dale**

Chief Executive Officer

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## 1 Name of instrument

This instrument is *Marine Safety (Expired pre-USL Code certificates) Exemption 2025*.

## 2 Duration

This instrument commences on 1 July 2025 and ceases to have effect at the end of 30 June 2028.

## 3 Definitions

In this instrument:

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

***National Regulator*** means the Australian Maritime Safety Authority — see section 9 of the national law.

***pre-USL Code certificate*** means a certificate of competency (however described) that:

- (a) was issued by the maritime safety authority of a State or the Northern Territory before 1 July 2013; and
- (b) was based on competencies recognised in a certificate (however described) issued before the USL Code commenced; and
- (c) entitled the holder to be the master, engineer or coxswain of a domestic commercial vessel that is a fishing vessel; and
- (d) ceased to have effect before 1 January 2014.

***specified operation*** means an operation, as master, engineer or coxswain of a domestic commercial vessel that is a fishing vessel.

***USL Code*** means the Uniform Shipping Laws Code previously adopted by the Australian Transport Council established by the Council of Australian Governments.

## 4 Exemption

- (1) A person who held a pre-USL Code certificate is exempt from the requirement to hold a certificate of competency that would be required for the specified operation, if:
  - (a) the person performed the operation in the 5 years ending on 30 June 2013; and
  - (b) the person has continued to perform the operation in the same capacity, and within the same limitations, provided on the pre-USL Code certificate of competency; and
  - (c) the National Regulator approves in writing the specified operation.
- (2) For paragraph (1)(c), an approval given under *Marine Safety (Expired pre-USL Code certificates) Exemption 2022*, or previous version of the exemption, that is in effect and has not expired is taken to be an approval under this exemption until 31 January 2026.

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*Note* From 1 February 2026, an approval given under a previous version of the exemption including *Marine Safety (Expired pre-USL Code certificates) Exemption 2022* will be taken to have expired. A new application for approval will need to be made for this exemption to apply.

## **5 Condition**

A person who operates under an exemption mentioned in section 4 must tell the National Regulator in writing if the person becomes aware of a medical condition that may affect their ability to operate a vessel.

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