



Australian Government

Australian Maritime Safety Authority

AMSA EX31

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

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

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.

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.
