

AMSA EXTERNAL CONSULTATION

Draft Marine Orders Miscellaneous Amendment Order 2026 is open for consultation until 18 December 2025

Why is this Marine Order needed?

At their 108th session, the Maritime Safety Committee (MSC) adopted MSC Resolution MSC.550(108) amending Regulations 31 and 32 of SOLAS Chapter V, introducing requirements relating to the reporting of lost containers. These amendments apply to all ships of all voyages. This Marine order gives effect to these new requirements.

Who does this Marine Order apply to?

The Marine Orders Miscellaneous Amendment Order 2026 applies to vessels and persons required to comply with the following amended orders.

Marine Order 27 (Safety of navigation and radio equipment) 2023 (MO27) sets out the requirements for:

- navigation safety measures and equipment
- radio equipment and communications
- safety, urgency and distress communications.

It gives effect to Chapter IV and parts of Chapter V of SOLAS. Marine Order 27 applies to vessels that are a RAV or a foreign vessel.

Marine Order 41 (Carriage of dangerous goods) 2017 (MO41) sets out the requirements for:

- carriage of dangerous goods in packaged form
- special requirements for the carriage of packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes on board vessels
- notice of intention to ship dangerous goods in vessels
- incidents at sea involving dangerous goods.

It gives effect to parts of Chapter II-2 and Chapter VII that relate to the carriage of dangerous goods. Marine Order 41 applies to vessels that are a RAV or a foreign vessel.

Marine Order 43 (Cargo and cargo handling — livestock) 2018 (MO43) provides for the certification of vessels that carry livestock and specifies requirements for the carriage and stowage of livestock to ensure the safe operation of vessels. Marine Order 43 applies to vessels that are a RAV or a foreign vessel in accordance with section 6 of the order.

Marine Order 70 (Seafarer certification) 2014 (MO70) sets out general provisions that apply for a person to be a qualified master, officer or other seafarer under the Navigation Act. It gives effect to the STCW Convention. Marine Order 70 applies to the following persons:

- a person performing or intending to perform, duties or functions as a qualified seafarer on a regulated Australian vessel
- a person who holds a seafarer certificate
- an owner of a regulated Australian vessel who employs a person who holds a seafarer certificate.

Marine Order 94 (Marine pollution prevention — packaged harmful substances) 2014 (MO94) sets out the requirements for preventing harmful substances carried by regulated Australian vessels, domestic commercial vessels and Australian recreation vessels from entering the marine environment, including:

- management of harmful substances in packaged form
- washing substances overboard
- notifying and reporting an incident.

It gives effect to Annex III of MARPOL. Marine Order 94 applies to regulated Australian vessels (RAVs), domestic commercial vessels (DCVs), recreational vessels that have Australian nationality and foreign vessels. Marine Order 94 also applies to a vessel that is owned or operated by the Commonwealth and used, for the time being, on government non-commercial service.

What are the key changes?

This miscellaneous amendment order will change sections of MO27, MO41, MO43, MO70 and MO94.

Marine Order 27 (Safety of navigation and radio equipment) 2023

- a) Capture the new SOLAS Requirements relating to the reporting of lost and observed freight containers (MSC.550(108)).
- b) Relieve the new SOLAS Requirements for reporting of lost and observed freight containers from the need to comply with Article 33 of the Radio Regulations.
- c) Update superseded SOLAS References considering MSC.550(108).

Marine Order 41 (Carriage of dangerous goods) 2017

- a) Increase awareness of the new SOLAS Requirements relating to the reporting of lost and observed freight containers.

Marine Order 43 (Cargo and cargo handling — livestock) 2018

- a) Update superseded references to the *Australian Meat and Live-stock Industry Act 1997* (the **AMLI Act**).
- b) Update superseded Marine Order References.

Marine Order 70 (Seafarer certification) 2014

- a) Minor updates to superseded and obsolete provisions and references.

Marine Order 94 (Marine pollution prevention — packaged harmful substances) 2014

- a) Awareness of the new SOLAS Requirements relating to the reporting of lost and observed freight containers.
- b) Alignment with the amendments to Protocol 1 of MARPOL in MEPC.384(81)).
- c) Update superseded MARPOL References considering MEPC.246(66).
- d) Update AMSA contact details.

It is intended that these amendments are made to the current orders with effect from 1 April 2026.

All Changes are yellow highlighted and deleted texts from the current text are shown as strikethrough

The table below compares the current sections of Marine Order 27 (2023), Marine Order 41 (2017), Marine Order 43 (2018), Marine Order 70 (2014) and Marine Order 94 (2014); and the draft Marine Orders Miscellaneous Amendment Order 2026.

Existing text of Marine Order 27 (Safety of navigation and radio equipment) 2023	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 1	Notes on changes
Division 4 Safety, urgency and distress communications		
31 Safety signals and danger messages — prescribed matters (1) For subparagraph 187(1)(b)(i) of the Navigation Act: (a) the safety signal that is sent out in the format mentioned in Article 33 of the Radio Regulations; and (b) the danger message must include the information mentioned in Regulations 31 and 32 of Chapter V of SOLAS. <i>Note for paragraph (a)</i> Article 33 sets out the format and manner of transmission of safety communications including the use of the safety signal being the word ‘SECURITE’ spoken 3 times. <i>Note for paragraph (b)</i> Regulations 31 and 32 of Chapter V of SOLAS provide that certain information related to the following dangers must be communicated: • dangerous ice • a dangerous derelict or any other direct danger to navigation • a tropical storm • encounters with sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures • winds of force 10 or above on the Beaufort scale for which no storm warning has been received. (2) The safety signal and danger message must be sent out in accordance with paragraph 4 of Regulation 31 of Chapter V of SOLAS. <i>Note</i> Paragraph 4 of Regulation 31 of Chapter V of SOLAS provides that the procedure mentioned in the Radio Regulations must be used to send out radio messages. See section IV of Article 33 of the Radio Regulations. (3) For subparagraph 187(1)(b)(ii) of the Navigation Act, the report to shore must be made to: (a) for a vessel in NAVAREA X — the Joint Rescue Coordination Centre Australia; or (b) for a vessel outside NAVAREA X — the Coordinator for the NAVAREA the vessel is in. <i>Note</i> The telephone number of the Joint Rescue Coordination Centre	31 Safety signals and danger messages — prescribed matters (1) For subparagraph 187(1)(b)(i) of the Navigation Act: (a) the safety signal that is sent out in the format mentioned in Article 33 of the Radio Regulations; and (b) the danger message must include the information mentioned in Regulations 31 and 32 of Chapter V of SOLAS. <i>Note for paragraph (a)</i> Article 33 sets out the format and manner of transmission of safety communications including the use of the safety signal being the word ‘SECURITE’ spoken 3 times. <i>Note for paragraph (b)</i> Regulations 31 and 32 of Chapter V of SOLAS provide that certain information related to the following dangers must be communicated: • dangerous ice • a dangerous derelict or any other direct danger to navigation • a tropical storm • encounters with sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures • winds of force 10 or above on the Beaufort scale for which no storm warning has been received. (2) The safety signal and danger message must be sent out in accordance with paragraph 5 of Regulation 31 of Chapter V of SOLAS. <i>Note</i> Paragraph 5 of Regulation 31 of Chapter V of SOLAS provides that the procedure mentioned in the Radio Regulations must be used to send out radio messages. See section IV of Article 33 of the Radio Regulations. (3) For subparagraph 187(1)(b)(ii) of the Navigation Act, the report to shore must be made to: (a) for a vessel in NAVAREA X — the Joint Rescue Coordination Centre Australia; or (b) for a vessel outside NAVAREA X — the Coordinator for the NAVAREA the vessel is in. <i>Note</i> The telephone number of the Joint Rescue Coordination Centre	s.31(2) and the Note for s.31(2) both reference Paragraph 4 of Regulation 31 of Chapter V of SOLAS, following the amendments in MSC.550(108) this will be paragraph 5. Removal of Fax number

Australia is +61 2 6230 6811 or 1800 641 792; the fax number is +61 2 6230 6868 or 1800 622 153; the email is rccaus@amsa.gov.au.	Australia is +61 2 6230 6811 or 1800 641 792; the email is rccaus@amsa.gov.au.	
	31A Danger messages — lost and observed freight containers (1) The master of a vessel must ensure that any freight container lost overboard from the vessel is reported by an appropriate means of communication, and at the earliest practicable time, to: (a) vessels in the vicinity; and (b) the nearest coastal State; and (c) the vessel's flag State. Penalty: 50 penalty units. <i>Note</i> A vessel in NAVAREA X may contact the Joint Rescue Coordination Centre (JRCC) as the nearest coastal state. The telephone number of the JRCC Australia is +61 2 6230 6811 or 1800 641 792; the email is rccaus@amsa.gov.au. A vessel that is a regulated Australian vessel should make any report to AMSA as the vessel's flag State — the telephone number is 1800 627 484; the email is FSC@amsa.gov.au. (2) The report must include the information mentioned in paragraph 3.1 of Regulation 32 of Chapter V of SOLAS. <i>Note</i> If all information elements are not available at the initial report, outstanding information must be reported by the master at the earliest practicable time after the initial report. (3) The owner of the vessel must make a report to the fullest extent possible if the master does not comply with subsections (1) and (2). (4) The master of a vessel must ensure that any freight container observed drifting in the sea is reported by an appropriate means of communication, and at the earliest practicable time, to: (a) vessels in the vicinity; and (b) the nearest coastal State. Penalty: 50 penalty units. <i>Note</i> A vessel in NAVAREA X may contact the Joint Rescue Coordination Centre (JRCC) as the nearest coastal state. The telephone number of the JRCC Australia is +61 2 6230 6811 or 1800 641 792; the email is rccaus@amsa.gov.au. (5) The report must include the information mentioned in paragraph 3.3 of Regulation 32 of Chapter V of SOLAS. (6) An offence against subsection (1) or (4) is a strict liability offence. (7) A person is liable to a civil penalty if the person contravenes subsection (1) or (4).	a new section to capture the new requirements in Regulations 31 and 32 of Chapter V of SOLAS relating to the reporting of lost and observed freight containers (MSC 550(108)). Includes penalties for breaches and notes for contact details.

	Civil penalty: 50 penalty units.	
33 Transmission of safety communications and danger messages (1) Any safety communication must be transmitted in accordance with Article 33 of Chapter VII of the Radio Regulations. Note Article 33 sets out the format and manner of transmission of safety communications including safety announcement, call and message and the use of the safety signal being the word 'SECURITE' spoken 3 times. (2) A person may only transmit a safety communication to give notice that the calling ship station has a transmission about an important navigational or meteorological warning. Penalty: 50 penalty units. (3) A person must not interfere with the transmission of a safety communication. Penalty: 50 penalty units. (4) An offence against subsection (2) or (3) is a strict liability offence. (5) A person is liable to a civil penalty if the person contravenes subsection (2) or (3). Civil penalty: 50 penalty units. (6) A danger message preceded by the safety signal has priority over all communications other than distress and urgency communications.	33 Transmission of safety communications and danger messages (1) A person may only transmit a safety communication to give notice that the calling ship station has a transmission about an important navigational or meteorological warning. Penalty: 50 penalty units. (2) A person must not interfere with the transmission of a safety communication. Penalty: 50 penalty units. (3) An offence against subsection (2) or (3) is a strict liability offence. (4) A person is liable to a civil penalty if the person contravenes subsection (2) or (3). Civil penalty: 50 penalty units. (5) A danger message preceded by the safety signal has priority over all communications other than distress and urgency communications.	The new requirements in Regulations 31 and 32 of Chapter V of SOLAS do not require the reporting of lost containers be transmitted in accordance with Article 33 of the Radio Regulations. We do not wish to regulate these safety communication beyond what is required by SOLAS. For prescribed matters, the requirement to transmit in accordance with Article 33 the Radio Regulations is already provided in s.31(2).

Existing text of Marine Order 41 (Carriage of dangerous goods) 2017	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 2	Notes on changes
Division 4 Information and notice requirements		
20 Incidents at sea involving dangerous goods in packaged form (1) If an incident takes place involving the loss, or the likely loss, overboard of dangerous goods in packaged form into the sea, the master of the vessel must report the particulars of the incident without delay and to the fullest extent possible to the nearest coastal State. Penalty: 50 penalty units. (2) If a vessel carrying dangerous goods in packaged form is abandoned, or if a report mentioned in subsection (1) is incomplete or unobtainable, the owner or agent of the vessel must make or complete the report of the incident without delay. Penalty: 50 penalty units. (3) An offence against subsection (1) or (2) is a strict liability offence. (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2). Civil penalty: 50 penalty units. <i>Note</i> The Annex of IMO Resolution A.851(20), as amended from time to time, sets out the General Principles for Ship Reporting Systems and Ship Reporting Requirements, including Guidelines for Reporting Incidents involving Dangerous Goods, Harmful Substances and/or Marine Pollutants. The Guidelines provide an internationally agreed format and procedure for reporting.	20 Incidents at sea involving dangerous goods in packaged form (1) If an incident takes place involving the loss, or the likely loss, overboard of dangerous goods in packaged form into the sea, the master of the vessel must report the particulars of the incident without delay and to the fullest extent possible to the nearest coastal State. Penalty: 50 penalty units. (2) If a vessel carrying dangerous goods in packaged form is abandoned, or if a report mentioned in subsection (1) is incomplete or unobtainable, the owner or agent of the vessel must make or complete the report of the incident without delay. Penalty: 50 penalty units. (3) An offence against subsection (1) or (2) is a strict liability offence. (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2). Civil penalty: 50 penalty units. <i>Note 1</i> The Annex of IMO Resolution A.851(20), as amended from time to time, sets out the General Principles for Ship Reporting Systems and Ship Reporting Requirements, including Guidelines for Reporting Incidents involving Dangerous Goods, Harmful Substances and/or Marine Pollutants. The Guidelines provide an internationally agreed format and procedure for reporting. <i>Note 2</i> See section 31A of <i>Marine Order 27 (Safety of navigation and radio equipment)</i> 2023 for reporting requirements in relation to lost and observed freight containers.	The intention of MSC.550(108) is that all lost containers, regardless of content, should be reported in accordance with the new requirements of regulations V/31 and V/32 SOLAS This is a new note directing to MO27 for reporting requirements in relation to lost and observed freight containers.

21 Requirements for training (1) An employer of a person, other than a seafarer, engaged in any activity relating to the handling, packing, stowing and carriage of dangerous goods must ensure that the employee is given training, including refresher training, in accordance with Chapter 1.3 of the IMDG Code. Penalty: 50 penalty units. <i>Note</i> Chapter 1.3 of the IMDG Code requires general awareness or familiarisation training and function-specific training for shore-based personnel. (2) The employer of a person mentioned in subsection (1) must also ensure that the following function-specific training is provided as part of the person's training according to her or his responsibilities: (a) packing dangerous goods in packages; (b) marking, labelling or placarding dangerous goods; (c) loading or unloading cargo transport units; (d) preparing transport documents for dangerous goods. <i>Note</i> The training providers in Australia that provide training courses recognised by AMSA as accepted training courses are listed on the AMSA website at http://www.amsa.gov.au. (3) The employer must keep evidence of training that an employee or contractor of the employer receives for subsection (1) for at least 5 years after the training occurred. Penalty: 50 penalty units. (4) An offence against subsection (1) or (3) is a strict liability offence. (5) A person is liable to a civil penalty if the person contravenes subsection (1) or (3). Civil penalty: 50 penalty units.	21 Requirements for training (1) An employer of a person, other than a seafarer, engaged in any activity relating to the handling, packing, stowing and carriage of dangerous goods must ensure that the employee is given training, including refresher training, in accordance with Chapter 1.3 of the IMDG Code. Penalty: 50 penalty units. <i>Note</i> Chapter 1.3 of the IMDG Code requires general awareness or familiarisation training and function-specific training for shore-based personnel. (2) The employer of a person mentioned in subsection (1) must also ensure that the following function-specific training is provided as part of the person's training according to her or his responsibilities: (a) packing dangerous goods in packages; (b) marking, labelling or placarding dangerous goods; (c) loading or unloading cargo transport units; (d) preparing transport documents for dangerous goods. (3) The employer must keep evidence of training that an employee or contractor of the employer receives for subsection (1) for at least 5 years after the training occurred. Penalty: 50 penalty units. (4) An offence against subsection (1) or (3) is a strict liability offence. (5) A person is liable to a civil penalty if the person contravenes subsection (1) or (3). Civil penalty: 50 penalty units.	AMSA no longer plays a role in accepting training courses in relation to dangerous goods and training providers are no longer listed on the AMSA website Subsequently, the note under s.21(2) is removed
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Existing text of Marine Order 43 (Cargo and cargo handling — livestock) 2018	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 3	Notes on changes
Division 1 Preliminary		
4 Definitions In this Order: ACCL (or <i>Australian certificate for the carriage of livestock</i>) means an Australian certificate for the carriage of livestock issued under section 26 of this Order or section 100 of the Navigation Act, including the record of equipment	4 Definitions In this Order: ACCL (or <i>Australian certificate for the carriage of livestock</i>) means an Australian certificate for the carriage of livestock issued under section 26 of this Order or section 100 of the Navigation Act, including the record of equipment	the <i>Australian Meat and Live-stock Industry (Standards) Order 2005</i> was repealed by the

and arrangements for the vessel. arrangements for the carriage of livestock means anything required for the provision of livestock services on a vessel. ASEL means the <i>Australian Standards for the Export of Livestock</i> mentioned in section 3 of the <i>Australian Meat and Live-stock Industry (Standards) Order 2005</i>. classification society has the same meaning as in <i>Marine Order 31 (SOLAS and non-SOLAS certification) 2019</i>. fodder tank means a space or day tank with a holding capacity of at least 39m³ designed for carrying fodder. fresh water generator includes a reverse osmosis water plant. IMSBC Code means the <i>International Maritime Solid Bulk Cargoes Code</i>, adopted by IMO Resolution MSC.268(85), as in force from time to time. interim ACCL means an interim ACCL issued under section 26, including the record of equipment and arrangements for the vessel. IS Code means the <i>International Code on Intact Stability, 2008 (2008 IS Code)</i> adopted by IMO Resolution MSC.267(85), as in force from time to time. ISM Code means the <i>International Safety Management (ISM) Code</i> as defined in Regulation 1 of Chapter IX of SOLAS, as in force from time to time. livestock operator means the person with overall general control and management of the livestock operation for which an ACCL is applied for or issued for a vessel. livestock services means any of the following: (a) ventilation; (b) fresh water supplies; (c) fodder supplies; (d) lighting; (e) drainage; (f) availability of humane killing device. portable equipment includes boxes, platforms, containers, portable livestock units or any portable or temporary arrangement that forms a pen or stall for the carriage of livestock, but does not include the following transport units if livestock is carried in accordance with the laws of the State or Territory of the port from which the livestock is shipped: (a) a registered road vehicle; (b) a registered trailer or float; (c) a portable stock crate mounted on a registered road vehicle; (d) any other transport unit that is approved by AMSA. record of equipment and arrangements means the Record of Equipment and Arrangements attached to and forming part of the ACCL. short voyage means a voyage that is not expected to exceed 24 hours.	and arrangements for the vessel. arrangements for the carriage of livestock means anything required for the provision of livestock services on a vessel. Australian Standards for the Export of Livestock (or ASEL) has the meaning given by section 1-6 of the Export Control (Animals) Rules 2021. classification society has the same meaning as in <i>Marine Order 31 (SOLAS and non-SOLAS certification) 2019</i>. fodder tank means a space or day tank with a holding capacity of at least 39m³ designed for carrying fodder. fresh water generator includes a reverse osmosis water plant. IMSBC Code means the <i>International Maritime Solid Bulk Cargoes Code</i>, adopted by IMO Resolution MSC.268(85), as in force from time to time. interim ACCL means an interim ACCL issued under section 26, including the record of equipment and arrangements for the vessel. IS Code means the <i>International Code on Intact Stability, 2008 (2008 IS Code)</i> adopted by IMO Resolution MSC.267(85), as in force from time to time. ISM Code means the <i>International Safety Management (ISM) Code</i> as defined in Regulation 1 of Chapter IX of SOLAS, as in force from time to time. livestock operator means the person with overall general control and management of the livestock operation for which an ACCL is applied for or issued for a vessel. livestock services means any of the following: (a) ventilation; (b) fresh water supplies; (c) fodder supplies; (d) lighting; (e) drainage; (f) availability of humane killing device. portable equipment includes boxes, platforms, containers, portable livestock units or any portable or temporary arrangement that forms a pen or stall for the carriage of livestock, but does not include the following transport units if livestock is carried in accordance with the laws of the State or Territory of the port from which the livestock is shipped: (a) a registered road vehicle; (b) a registered trailer or float; (c) a portable stock crate mounted on a registered road vehicle; (d) any other transport unit that is approved by AMSA. record of equipment and arrangements means the Record of Equipment and Arrangements attached to and forming part of the ACCL. short voyage means a voyage that is not expected to exceed 24 hours. uppermost continuous deck means the uppermost complete deck of a vessel	Export Control (Consequential Amendments and Transitional Provisions) Act 2020. ASEL is now given effect through the <i>Export Control (Animals) Rules 2021</i> with the appropriate definition contained in s.1-6
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<i>uppermost continuous deck</i> means the uppermost complete deck of a vessel that: (a) is exposed to the weather and sea; and (b) is fitted as an integral part of the vessel's structure; and (c) has all openings in weather positions fitted with permanent means of closing. <i>Note 1</i> Information on obtaining copies of any IMO Resolution, IMO document or other document that is mentioned in this Order is available from the AMSA website Marine Orders link at http://www.amsa.gov.au. <i>Note 2</i> Some terms used in this Order are defined in <i>Marine Order 1 (Administration) 2013</i>, including: • IMO • MARPOL • SOLAS <i>Note 3</i> Other terms used in this Order are defined in the Navigation Act, including: • AMSA • dangerous goods • foreign vessel • inspector • owner • regulated Australian vessel • safety certificate. <i>Note 4</i> For delegation of AMSA's powers under this Order — see the AMSA website Marine Orders link at http://www.amsa.gov.au. <i>Note 5</i> Approved forms are available on AMSA's website: http://www.amsa.gov.au.	that: (a) is exposed to the weather and sea; and (b) is fitted as an integral part of the vessel's structure; and (c) has all openings in weather positions fitted with permanent means of closing. <i>Note 1</i> Information on obtaining copies of any IMO Resolution, IMO document or other document that is mentioned in this Order is available from the AMSA website Marine Orders link at http://www.amsa.gov.au. <i>Note 2</i> Some terms used in this Order are defined in <i>Marine Order 1 (Administration) 2013</i>, including: • IMO • MARPOL • SOLAS <i>Note 3</i> Other terms used in this Order are defined in the Navigation Act, including: • AMSA • dangerous goods • foreign vessel • inspector • owner • regulated Australian vessel • safety certificate. <i>Note 4</i> For delegation of AMSA's powers under this Order — see the AMSA website Marine Orders link at http://www.amsa.gov.au. <i>Note 5</i> Approved forms are available on AMSA's website: http://www.amsa.gov.au.	
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5 Interpretation (1) For this Order, a vessel is taken to have been constructed when: (a) the keel is laid; or (b) construction identifiable with the vessel starts and the lesser of at least 50 tonnes, or 1% of the estimated mass of all structural material of the vessel, is assembled. (2) In this Order, a reference to the date on which a vessel was converted means the date when the conversion started. (3) If any of the following provisions of this Order is inconsistent with the ASEL or an order made under section 17 of the <i>Australian Meat and</i>	5 Interpretation (1) For this Order, a vessel is taken to have been constructed when: (a) the keel is laid; or (b) construction identifiable with the vessel starts and the lesser of at least 50 tonnes, or 1% of the estimated mass of all structural material of the vessel, is assembled. (2) In this Order, a reference to the date on which a vessel was converted means the date when the conversion started. (3) If any of the following provisions of this Order is inconsistent with the ASEL or rules made under section 432 of the Export Control Act 2020, a	section 17 of the <i>Australian Meat and Live-stock Industry Act 1997 (AMLI Act)</i> was repealed by the Export Control (Consequential Amendments and Transitional Provisions) Act 2020.
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Live-stock Industry Act 1997 (the AMLI Act), a vessel is taken to comply, and a person is taken to comply, with the provision if the vessel or person complies with the ASEL or section 17 of the AMLI Act: (a) section 36; (b) section 37; (c) subdivision 11.1, only as it relates to pigs and goats; (d) subdivision 11.5.	vessel or person is taken to comply with the provision if the vessel or person complies with the ASEL or rules made under section 432 of the Export Control Act 2020: (a) section 36; (b) section 37; (c) subdivision 11.1, only as it relates to pigs and goats; (d) subdivision 11.5.	The equivalent seems to be allowed for in rules made under s.432 of the Export Control Act 2020 (for the purpose of Chapter 6)
Division 3 Vessel operations		
14 Severe weather conditions — minimising risk to livestock (1) If there is a reasonable likelihood that a vessel will experience severe weather conditions on the route of a proposed voyage, the master must: (a) delay loading; or (b) use an alternative route that: (i) complies with section 9 of <i>Marine Order 27 (Safety of navigation and radio equipment)</i> 2016; and (ii) reduces the risk of injury or mortality for livestock. Penalty: 50 penalty units. (2) An offence against subsection (1) is a strict liability offence. (3) A person is liable to a civil penalty if the person contravenes subsection (1). Civil penalty: 50 penalty units.	14 Severe weather conditions — minimising risk to livestock (1) If there is a reasonable likelihood that a vessel will experience severe weather conditions on the route of a proposed voyage, the master must: (a) delay loading; or (b) use an alternative route that: (i) complies with section 9 of <i>Marine Order 27 (Safety of navigation and radio equipment)</i> 2023; and (ii) reduces the risk of injury or mortality for livestock. Penalty: 50 penalty units. (2) An offence against subsection (1) is a strict liability offence. (3) A person is liable to a civil penalty if the person contravenes subsection (1). Civil penalty: 50 penalty units.	Update superseded MO reference

Existing text of Marine Order 70 (Seafarer certification) 2014	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 4	Notes on changes
Division 1 Preliminary		
4 Definitions In this Order: appropriate radio operator certificate means a certificate that: (a) is issued in a country with which Australia has an agreement for recognition of GMDSS certificates; and (b) permits the operation of radio installations on a vessel.	4 Definitions In this Order: appropriate radio operator certificate means a certificate that: (a) is issued in a country with which Australia has an agreement for recognition of GMDSS certificates; and (b) permits the operation of radio installations on a vessel.	Update superseded MO reference to corresponding requirement

approved means approved in writing by AMSA. certificate of medical fitness has the meaning: (a) for the issue of a certificate of proficiency as marine cook or a certificate of recognition — that is given by paragraph (a) of the definition of certificate of medical fitness in section 4 of <i>Marine Order 76 (Health — medical fitness) 2017</i>; and (b) for the issue of a restricted certificate of recognition — that is given by paragraph (a) or (b) of the definition of certificate of medical fitness in section 4 of <i>Marine Order 76 (Health — medical fitness) 2017</i>; and (c) for the revalidation of a certificate of proficiency as marine cook or a functions endorsement on a certificate of proficiency as Integrated Rating — that is given by paragraph (a) or (b) of the definition of certificate of medical fitness in section 4 of <i>Marine Order 76 (Health — medical fitness) 2017</i>. certificate of proficiency as marine cook means a seafarer certificate that permits the holder to perform marine cook duties or functions on vessels of any size in any operating area. certificate of recognition, other than in Division 4, means a certificate of recognition or a restricted certificate of recognition issued by AMSA. certificate of safety training means a seafarer certificate that meets the requirements of: (a) STCW Convention, Annex, Chapter VI, regulation VI/1; and (b) STCW Code section A-VI/6 paragraph 4. examiner means a suitably qualified AMSA employee appointed by AMSA to conduct examinations under this Order. ECDIS means Electronic Chart Display and Information System. final assessment, for the following matters, means an assessment by AMSA, of which part must be conducted by oral examination by an examiner, of whether the applicant has operational knowledge and knowledge of Australian maritime legislation appropriate for the grade of the certificate: (a) an application for a certificate; (b) an application for revalidation of a certificate. fully fitted, for GMDSS equipment of a vessel, means that the vessel has equipment so that it is capable of meeting the functional requirements mentioned in: (a) for a vessel to which SOLAS applies — regulation 4 of Chapter IV of SOLAS; or (b) for a vessel to which SOLAS does not apply — subsection 7.2 of Marine Order 27 (Radio equipment) 2009. functions endorsement means an endorsement of a seafarer certificate permitting duties or functions on a regulated Australian vessel.	approved means approved in writing by AMSA. certificate of medical fitness has the meaning: (a) for the issue of a certificate of proficiency as marine cook or a certificate of recognition — that is given by paragraph (a) of the definition of certificate of medical fitness in section 4 of <i>Marine Order 76 (Health — medical fitness) 2017</i>; and (b) for the issue of a restricted certificate of recognition — that is given by paragraph (a) or (b) of the definition of certificate of medical fitness in section 4 of <i>Marine Order 76 (Health — medical fitness) 2017</i>; and (c) for the revalidation of a certificate of proficiency as marine cook or a functions endorsement on a certificate of proficiency as Integrated Rating — that is given by paragraph (a) or (b) of the definition of certificate of medical fitness in section 4 of <i>Marine Order 76 (Health — medical fitness) 2017</i>. certificate of proficiency as marine cook means a seafarer certificate that permits the holder to perform marine cook duties or functions on vessels of any size in any operating area. certificate of recognition, other than in Division 4, means a certificate of recognition or a restricted certificate of recognition issued by AMSA. certificate of safety training means a seafarer certificate that meets the requirements of: (a) STCW Convention, Annex, Chapter VI, regulation VI/1; and (b) STCW Code section A-VI/6 paragraph 4. examiner means a suitably qualified AMSA employee appointed by AMSA to conduct examinations under this Order. ECDIS means Electronic Chart Display and Information System. final assessment, for the following matters, means an assessment by AMSA, of which part must be conducted by oral examination by an examiner, of whether the applicant has operational knowledge and knowledge of Australian maritime legislation appropriate for the grade of the certificate: (a) an application for a certificate; (b) an application for revalidation of a certificate. fully fitted, for GMDSS equipment of a vessel, means that the vessel has equipment so that it is capable of meeting the functional requirements mentioned in: (a) for a vessel to which SOLAS applies — regulation 4 of Chapter IV of SOLAS; or (b) for a vessel to which SOLAS does not apply — subsection 28(2) or (3) of Marine Order 27 (Safety of navigation and radio equipment) 2023. functions endorsement means an endorsement of a seafarer certificate	
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GMDSS means the global maritime distress and safety system mentioned in Chapter IV of SOLAS. GMDSS certificate means a certificate mentioned in regulation IV/2 of Chapter IV of the STCW Convention. <i>Note</i> A GMDSS radio operator certificate is a kind of GMDSS certificate. HSC Code means the <i>International Code of Safety for High-Speed Craft, 2000</i>, adopted and published by the IMO, as in force from time to time. IGF Code means the <i>International Code of Safety for Ships using Gases or other Low-flashpoint Fuels</i> adopted by IMO Resolution MSC.391(95), as in force from time to time. kind, for propulsion of a vessel, means steam or motor. marine cook duties or functions means preparation of food for seafarers as vessel cook. National Regulator — see section 9 of the Marine Safety (Domestic Commercial Vessel) National Law set out in Schedule 1 to the <i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012</i>. near-coastal waters means the waters landward of the outer limits of the exclusive economic zone of Australia. oral examination means a verbal examination in appropriate operational knowledge and Australian maritime legislation conducted by an examiner. Polar Code means the <i>International Code for Ships Operating in Polar Waters</i> adopted by IMO Resolutions MSC.385(94) and MEPC. 264(68), as in force from time to time. Polar waters has the same meaning as in regulation I/1 of the STCW Convention. primary certificate, for revalidation or endorsement of a certificate of recognition, means: (a) the overseas certificate that is recognised by the certificate of recognition; or (b) the certificate that: (i) was issued by a maritime administration of a country, other than Australia, that is a signatory to the STCW Convention; and (ii) is recognised by the certificate of recognition. qualifying seagoing service means service on a vessel calculated in accordance with Subdivision 3.1 for eligibility for a seafarer certificate. radio operator duties or functions means: (a) the transmission and receipt of information using GMDSS and GMDSS radiocommunication installations on a vessel; and (b) providing radio services for a vessel in emergencies. registration authority means any of the following: (a) the Australian Skills Quality Authority; (b) the Victorian Registration and Qualifications Authority;	permitting duties or functions on a regulated Australian vessel. GMDSS means the global maritime distress and safety system mentioned in Chapter IV of SOLAS. GMDSS certificate means a certificate mentioned in regulation IV/2 of Chapter IV of the STCW Convention. <i>Note</i> A GMDSS radio operator certificate is a kind of GMDSS certificate. HSC Code means the <i>International Code of Safety for High-Speed Craft, 2000</i>, adopted and published by the IMO, as in force from time to time. IGF Code means the <i>International Code of Safety for Ships using Gases or other Low-flashpoint Fuels</i> adopted by IMO Resolution MSC.391(95), as in force from time to time. kind, for propulsion of a vessel, means steam or motor. marine cook duties or functions means preparation of food for seafarers as vessel cook. National Regulator — see section 9 of the Marine Safety (Domestic Commercial Vessel) National Law set out in Schedule 1 to the <i>Marine Safety (Domestic Commercial Vessel) National Law Act 2012</i>. near-coastal waters means the waters landward of the outer limits of the exclusive economic zone of Australia. oral examination means a verbal examination in appropriate operational knowledge and Australian maritime legislation conducted by an examiner. Polar Code means the <i>International Code for Ships Operating in Polar Waters</i> adopted by IMO Resolutions MSC.385(94) and MEPC. 264(68), as in force from time to time. Polar waters has the same meaning as in regulation I/1 of the STCW Convention. primary certificate, for revalidation or endorsement of a certificate of recognition, means: (a) the overseas certificate that is recognised by the certificate of recognition; or (b) the certificate that: (i) was issued by a maritime administration of a country, other than Australia, that is a signatory to the STCW Convention; and (ii) is recognised by the certificate of recognition. qualifying seagoing service means service on a vessel calculated in accordance with Subdivision 3.1 for eligibility for a seafarer certificate. radio operator duties or functions means: (a) the transmission and receipt of information using GMDSS and GMDSS radiocommunication installations on a vessel; and (b) providing radio services for a vessel in emergencies. registration authority means any of the following: (c) the Australian Skills Quality Authority;	
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(c) the Training Accreditation Council Western Australia; (d) the New Zealand Qualifications Authority. <i>Note</i> For information about the authorities see the following websites: • for the Australian Skills Quality Authority — see http://www.asqa.gov.au • for the Victorian Registration and Qualifications Authority — see http://www.vrqa.vic.gov.au • for the Training Accreditation Council Western Australia see http://www.tac.wa.gov.au • for the New Zealand Qualifications Authority — see http://www.nzqa.govt.nz. registered training organisation means a training organisation registered by a registration authority. revalidate means renew. seafarer training organisation means: (a) a registered training organisation; or (b) the Australian Maritime College. <i>Note</i> The Australian Maritime College is an institute of the University of Tasmania. State includes the Northern Territory. training course includes training program. vessel endorsement means an endorsement of a seafarer certificate permitting stated duties or functions on a stated kind of vessel, including the following: (a) a tanker endorsement for which the qualification requirements are specified in STCW Convention regulations V/1-1 and V/1-2; (b) a passenger vessel endorsement for which the qualification requirements are specified in STCW Convention regulation V/2; (c) a high speed craft endorsement; (d) a sailing vessel endorsement; (e) a WIG type A craft endorsement; (f) vessels to which the IGF Code applies — basic training; (g) vessels to which the IGF Code applies — advanced training; (h) vessels to which the Polar Code applies — basic training; (i) vessels to which the Polar Code applies — advanced training; (j) tanker familiarisation. <i>Note 1</i> An endorsement mentioned in paragraph (b) of the definition of vessel endorsement may be an endorsement permitting duties or functions on a ro-ro passenger vessel. <i>Note 2</i> For information on obtaining copies of IMO documents mentioned	(f) the Victorian Registration and Qualifications Authority; (g) the Training Accreditation Council Western Australia; (h) the New Zealand Qualifications Authority. <i>Note</i> For information about the authorities see the following websites: • for the Australian Skills Quality Authority — see http://www.asqa.gov.au • for the Victorian Registration and Qualifications Authority — see http://www.vrqa.vic.gov.au • for the Training Accreditation Council Western Australia see http://www.tac.wa.gov.au • for the New Zealand Qualifications Authority — see http://www.nzqa.govt.nz. registered training organisation means a training organisation registered by a registration authority. revalidate means renew. seafarer training organisation means: (a) a registered training organisation; or (b) the Australian Maritime College. <i>Note</i> The Australian Maritime College is an institute of the University of Tasmania. State includes the Northern Territory. training course includes training program. vessel endorsement means an endorsement of a seafarer certificate permitting stated duties or functions on a stated kind of vessel, including the following: (a) a tanker endorsement for which the qualification requirements are specified in STCW Convention regulations V/1-1 and V/1-2; (b) a passenger vessel endorsement for which the qualification requirements are specified in STCW Convention regulation V/2; (c) a high speed craft endorsement; (d) a sailing vessel endorsement; (e) a WIG type A craft endorsement; (f) vessels to which the IGF Code applies — basic training; (g) vessels to which the IGF Code applies — advanced training; (h) vessels to which the Polar Code applies — basic training; (i) vessels to which the Polar Code applies — advanced training; (j) tanker familiarisation. <i>Note 1</i> An endorsement mentioned in paragraph (b) of the definition of vessel endorsement may be an endorsement permitting duties or functions on a ro-ro passenger vessel.	
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in this Order see AMSA's website at http://www.amsa.gov.au or email international.relations@amsa.gov.au. <i>Note 3</i> Some terms used in this Order are defined in <i>Marine Order 1 (Administration) 2013</i>, including: • AMSA Act • GT • IMO • Navigation Act • NSCV • SOLAS • STCW Code. <i>Note 4</i> Other terms used in this Order have the same meaning that they have in the Navigation Act, including: • AMSA • Government vessel • Maritime Labour Convention • master • officer • owner • regulated Australian vessel • seafarer • seafarer certificate • STCW Convention. <i>Note 5</i> For delegation of AMSA's powers under this Order — see the AMSA website at http://www.amsa.gov.au.	<i>Note 2</i> For information on obtaining copies of IMO documents mentioned in this Order see AMSA's website at http://www.amsa.gov.au or email international.relations@amsa.gov.au. <i>Note 3</i> Some terms used in this Order are defined in <i>Marine Order 1 (Administration) 2013</i>, including: • AMSA Act • GT • IMO • Navigation Act • NSCV • SOLAS • STCW Code. <i>Note 4</i> Other terms used in this Order have the same meaning that they have in the Navigation Act, including: • AMSA • Government vessel • Maritime Labour Convention • master • officer • owner • regulated Australian vessel • seafarer • seafarer certificate • STCW Convention. <i>Note 5</i> For delegation of AMSA's powers under this Order — see the AMSA website at http://www.amsa.gov.au.	
Division 9 Review of decisions		
61 Review by ART A person affected by a decision under subsection 57(2) may apply to the Administrative Review Tribunal for review of the decision.	61 Review by ART A person affected by a decision under subsection 60(2) may apply to the Administrative Review Tribunal for review of the decision.	Updated Reference
Division 10 Transitional arrangements		

62A Recognition of seagoing service in polar waters or equivalent seagoing service (1) Until 1 July 2020, a person who commenced approved seagoing service in polar waters before 1 July 2018 is taken to have met the seagoing service requirements for the vessel endorsement <i>Vessels to which the Polar Code applies — basic training</i> if the person has completed: (a) the approved seagoing service in polar waters, or equivalent approved seagoing service, mentioned in paragraph 6.1 of regulation V/4 of the STCW Convention; or (b) the training requirements mentioned in paragraph 6.2 of regulation V/4 of the STCW Convention. (2) Until 1 July 2020, a person who commenced approved seagoing service in polar waters before 1 July 2018 is taken to have met the seagoing service requirements for the vessel endorsement <i>Vessels to which the Polar Code applies — advanced training</i> if the person has completed: (a) the approved seagoing service in polar waters, or equivalent approved seagoing service, mentioned in paragraph 7.1 of regulation V/4 of the STCW Convention; or (b) the training requirements mentioned in paragraph 7.2 of regulation V/4 of the STCW Convention.		To be removed as transitional period has elapsed
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Existing text of Marine Order 94 (Marine pollution prevention — packaged harmful substances) 2014	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 5	Notes on changes
Division 2 Convention Requirements		

8 Convention requirements (3) If a vessel has on board harmful substances in packaged form, the owner of the vessel must comply with regulations 2 to 5 of Annex III. (4) For paragraphs 1 and 2 of regulation 4 of Annex III, AMSA is the designated organisation. (5) A copy of the special list, manifest or stowage plan mentioned in paragraph 2 of regulation 4 of Annex III must be given before departure to AMSA at the AMSA office at or nearest to the port of loading. <i>Note</i> Regulations 2, 3 and 5 of Annex III set out requirements for the packing, marking, labelling and stowage of packaged harmful substances. Regulation 4 of Annex III mentions requirements for the transport of packaged harmful substances including the need to comply with the International Maritime Dangerous Goods Code (the IMDG Code) for transport information and the preparation of a special list, manifest or stowage plan. The IMDG Code as currently in force is available from the IMO website at http://www.imo.org. The IMO resolution that adopts or amends the IMDG Code is listed on AMSA's website.	8 Convention requirements (1) If a vessel has on board harmful substances in packaged form, the owner of the vessel must comply with regulations 3 to 6 of Annex III. (2) For paragraphs 1 and 2 of regulation 5 of Annex III, AMSA is the designated organisation. (3) A copy of the special list, manifest or stowage plan mentioned in paragraph 2 of regulation 5 of Annex III must be given before departure to AMSA at the AMSA office at or nearest to the port of loading. <i>Note</i> Regulations 3, 4 and 6 of Annex III set out requirements for the packing, marking, labelling and stowage of packaged harmful substances. Regulation 4 of Annex III mentions requirements for the transport of packaged harmful substances including the need to comply with the International Maritime Dangerous Goods Code (the IMDG Code) for transport information and the preparation of a special list, manifest or stowage plan. The IMDG Code as currently in force is available from the IMO website at http://www.imo.org. The IMO resolution that adopts or amends the IMDG Code is listed on AMSA's website.	Update to capture Regulations under Annex 3 that were renumbered under MEPC.246(66).
Division 3 Prescribed matters		
10 Prescribed manner of notifying an incident For subsections 26B(3) and 26B(5) of the Pollution Prevention Act, the notification must: (c) start with the code letters POLREP and the name, IMO number and radio call-sign of the ship; and (d) be sent by: (i) telephone; or (ii) fax; or (iii) radio; or (iv) email. <i>Note 1</i> If Australia is the nearest coastal state for notification of an incident, AMSA may be contacted as follows: Rescue Coordination Centre (RCC) Australia: telephone: +61 (0)2 6230 6811; freecall: 1800 641 792 (within Australia); fax: +61 (0)2 6230 6868; AFTN: YSARYCYX; email: rccaus@amsa.gov.au. <i>Note 2</i> Subsection 26B(3) of the Pollution Prevention Act requires notification of a prescribed incident to a prescribed officer. For the definition of <i>prescribed officer</i> — see subsection 3(2) of the Act.	10 Prescribed manner of notifying an incident For subsections 26B(3) and 26B(5) of the Pollution Prevention Act, the notification must: (a) start with the code letters POLREP and the name, IMO number and radio call-sign of the ship; and (b) be sent by: (i) telephone; or (ii) email; or (iii) radio <i>Note 1</i> If Australia is the nearest coastal state for notification of an incident, AMSA may be contacted as follows: Rescue Coordination Centre (RCC) Australia: telephone: +61 (0)2 6230 6811; freecall: 1800 641 792 (within Australia); email: rccaus@amsa.gov.au; HF DSC MMSI 005030001. <i>Note 2</i> Subsection 26B(3) of the Pollution Prevention Act requires notification of a prescribed incident to a prescribed officer. For the definition of <i>prescribed officer</i> — see subsection 3(2) of the Act. <i>Note 3</i> See section 31A of <i>Marine Order 27 (Safety of navigation and radio equipment) 2023</i> for reporting requirements in relation to lost and observed freight containers.	Note added to capture Amendment to Article V of Protocol 1 of MARPOL contained in MEPC.384(81) regarding the loss of freight containers and referring to the new requirements of MO27. Removing fax number and AFTN. Deemphasising Radio as a contact option and adding HF DSC POC.

11 Prescribed form — marine pollutants report For subsections 26B(8) and 26B(9) of the Pollution Prevention Act, the prescribed form for reporting a prescribed incident is set out in Schedule 1.	11 Prescribed form — marine pollutants report For subsections 26B(8) and 26B(9) of the Pollution Prevention Act, the prescribed form for reporting a prescribed incident is Form AMSA 1858 Marine pollutants report. <i>Note</i> Form AMSA 1858 Marine pollutants report is available on AMSA's website at www.amsa.gov.au.	Reference AMSA 1858 Marine pollutants report rather than Schedule 1.
Schedule 1 Marine pollutants report form		
Schedule 1 — Marine pollutants report form (section 11) When reporting discharge or potential discharge of a marine pollutant in a packaged form, the following information is to be provided: <i>Note 1</i> If any of the following items of the ship reporting format are inappropriate they should be omitted from the report. These items of the standard reporting format are mentioned in IMO Resolution A.851(20) as amended by MEPC.138(53): <i>Note 2</i> A copy of this form is available on AMSA's website at http://www.amsa.gov.au A — Ship Name Call sign/ship station identity Flag B — Date & time of event Time must be expressed as Coordinated Universal Time (UTC) — Position C A 4 digit group giving latitude in degrees and minutes suffixed with N (north) or S (south) and a 5 digit group giving longitude in degrees and minutes suffixed with E (east) or W (west) or D True bearing (first 3 digits) and distance in nautical miles from a clearly identified landmark (state landmark) M — Radio communications Full names of stations and frequencies guarded P — Probable discharge		Remove Schedule 1, the AMSA form is now the point of reference for this information.

1. Correct technical name or names of goods 2. UN number or numbers if available 3. IMO hazard class or classes 4. Names of manufacturers of goods if known, or consignee or consignor 5. Types of packages, their identification marks, kind of cargo transport unit (eg portable tank, tank vehicle, vehicle container, freight container) from which they were discharged, official registration marks and identification number of the cargo transport unit 6. Estimate of the quantity and likely condition of the goods Q Condition of ship Condition of ship if relevant to the discharge R Discharge 1. Correct technical name or names of goods 2. UN number or numbers if available 3. IMO hazard class or classes 4. Names of manufacturers of goods if known, or consignee or consignor 5. Types of packages, their identification marks, kind of cargo transport unit (eg portable tank, tank vehicle, vehicle container, freight container) from which they were discharged, official registration marks and identification number of the cargo transport unit 6. Estimate of the quantity and likely condition of the goods 7. Whether lost goods floated or sank 8. Whether loss is continuing 9. Cause of loss S Weather conditions Give brief details of weather and sea conditions prevailing T Contact details Name, address, telephone number and fax or telex number of the ship's owner and representative (charterer, manager or operator of the ship or their agent) U Ship size and type 1. Type of ship 2. Length of ship 3. Breadth of ship 4. Tonnage of ship X Action 1. Action being taken with regard to the discharge and the movement of the ship 2. Assistance or salvage efforts that have been requested or that have been provided by others 3. Particulars of action planned by assisting or salvaging ship		
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