

AMSA EXTERNAL CONSULTATION

Draft Marine Orders Miscellaneous Amendment Order 2026 is open for consultation until 8 February 2026

Why is this Marine Order needed?

At their 107th session, the Maritime Safety Committee (MSC) adopted MSC Resolution MSC.532(107) amending Regulation 3-13 of SOLAS Chapter II-1, introducing new requirements for Lifting Appliances and Anchor Handling Winches. These amendments will apply to regulated Australian vessels and foreign vessels to which Chapter II-1 of SOLAS applies. 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 12 (Construction — subdivision and stability, machinery and electrical installations) 2023 (MO12) implements internationally consistent standards for construction of vessels in relation to:

- subdivision and stability
- machinery and electrical installations.

It also sets the additional requirements for Regulated Australian Vessels that are offshore supply vessels. MO12 gives effect to Chapter II-1 of SOLAS other than regulations 19-1 and 21 and IMO's OSV Guidelines. This Order applies to RAVs and foreign vessels.

Marine Order 32 (Cargo handling equipment) 2016 (MO32) sets out the requirements and responsibilities for:

- loading and unloading operations
- inspection, testing and maintenance of machinery and equipment used for loading and unloading a vessel—which belongs to the vessel
- safe working loads.

MO32 also gives effect to parts of International Labour Organization instruments that apply to machinery, appliances and equipment that belong to a vessel and are used for loading or unloading the vessel. MO32 applies to:

- a) loading or unloading a regulated Australian vessel anywhere
- b) loading or unloading a foreign vessel at an Australian port
- c) loading or unloading of a foreign vessel that is an offshore industry mobile unit:
 - i. at an Australian port
 - ii. in the territorial sea of Australia.

What are the key changes?

This miscellaneous amendment order will change sections of MO12 and MO32.

Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2023

- a) Define who may be considered a competent person for the purposes of testing and examining lifting appliances and anchor handling winches.
- b) Add a new division covering requirements for lifting appliances, anchor handling winches, and associated loose gear, including:
 - i. design, construction, and installation
 - ii. testing, thorough examination, and inspection
 - iii. determination and marking of the safe working load
 - iv. record-keeping arrangements
 - v. actions to be taken with respect to inoperative equipment.
- b) Remove an outdated clause in Marine Order 12 relating to lifting gear and machinery space cranes for non-classed vessels.

Marine Order 32 (Cargo handling equipment) 2016

- a) Minor amendments to ensure consistency and avoid overlap with the new provisions in Marine Order 12, minor amendments will be made to Marine Order 32, specifically:
 - i. determination and marking of the safe working load
 - ii. testing, examining, and inspecting lifting appliances.

It is intended that these amendments are made to the current orders with effect from 1 May 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 12 (2023) and Marine Order 32 (2016); and the draft Marine Orders Miscellaneous Amendment Order 2026.

Existing text of Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2023	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 1	Notes on changes
Division 1 Preliminary		
<p>3 Power</p> <p>(1) The following provisions of the Navigation Act provide for this Marine Order to be made:</p> <p>(a) paragraphs 339(2)(a) and (b), which provide that the regulations may provide for the design and construction of vessels and for the machinery and equipment to be carried on board vessels;</p> <p>(b) paragraph 339(2)(e), which provides that the regulations may provide for the stability of vessels, including information about, and testing of, the stability of vessels;</p> <p>(c) subsection 339(2)(l), which provides that the regulations may provide for the keeping of an official logbook including prescribing the entries to be made and the time of making the entries (see also subsection 309(2));</p> <p>(d) paragraph 340(1)(a), which provides that the regulations may provide for giving effect to SOLAS;</p> <p>(e) subsection 341(1), which provides that the regulations may provide for the imposition of penalties for a contravention of a provision of the regulations.</p> <p>(2) Subsection 339(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to the Act.</p> <p>(3) Subsection 342(1) of the Navigation Act provides that AMSA may make a Marine Order about matters that can be provided for by regulation.</p>	<p>3 Power</p> <p>(1) The following provisions of the Navigation Act provide for this Marine Order to be made:</p> <p>(a) paragraphs 339(2)(a) which provides that the regulations may provide for the design and construction of vessels;</p> <p>(b) paragraphs 339(2)(b) and (c) which provide that the regulations may provide for equipment and machinery to be carried on board and for the operating, maintaining, checking and testing of that equipment and machinery,</p> <p>(c) paragraph 339(2)(e) which provides that the regulations may provide for the stability of vessels, including information about, and testing of, the stability of vessels;</p> <p>(d) paragraph 339(2)(f) which provides that the regulations may provide for the operating of watertight doors;</p> <p>(e) subsection 339(2)(l) which provides that the regulations may provide for the keeping of an official logbook including prescribing the entries to be made and the time of making the entries (see also subsection 309(2));</p> <p>(f) paragraph 340(1)(a) which provides that the regulations may provide for giving effect to SOLAS;</p> <p>(g) subsection 341(1) which provides that the regulations may provide for the imposition of penalties for a contravention of a provision of the regulations.</p> <p>(2) Subsection 339(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to the Act.</p> <p>(3) Subsection 342(1) of the Navigation Act provides that AMSA may make a Marine Order about matters that can be provided for by regulation.</p>	<p>Addition of powers relating to operating, maintaining, checking and testing of equipment, and;</p> <p>Addition of powers relating to the operating of watertight doors relevant to the existing s.14</p>

<p>5 Interpretation — SOLAS and other instruments</p> <p>(1) For a provision of Chapter II-1 of SOLAS applied, adopted or incorporated by this Marine Order, the Administration is:</p> <p>(a) for a regulated Australian vessel — AMSA; or</p> <p>(b) for a foreign vessel — the government of the country whose flag the vessel is entitled to fly.</p> <p>(2) If an expression used in this Marine Order is also used in a provision of an instrument (such as SOLAS) or other writing applied, adopted or incorporated by this Marine Order, the expression has the same meaning as in that instrument or other writing, unless the contrary intention appears.</p>	<p>5 Interpretation — SOLAS and other instruments</p> <p>(1) For a provision of Chapter II-1 of SOLAS applied, adopted or incorporated by this Marine Order, the Administration is:</p> <p>(a) for a regulated Australian vessel — AMSA; or</p> <p>(b) for a foreign vessel — the government of the country whose flag the vessel is entitled to fly.</p> <p>(2) For a provision of the Guidelines for Lifting Appliances MSC. 1/Circ. 1663 or the Guidelines for Anchor Handling Winches MSC. 1/Circ. 1662 applied, adopted or incorporated by this Marine Order — the competent person for a regulated Australian vessel is:</p> <p>(a) the manufacturer of that equipment; or</p> <p>(b) the vessel's recognised organisation or classification society which surveys and inspects the vessel and its equipment under a scheme of classification; or</p> <p>(c) a testing establishment that AMSA is satisfied:</p> <p>(i) is competent to test and examine equipment; and</p> <p>(ii) has the necessary equipment for testing and examination.</p> <p>(3) If an expression used in this Marine Order is also used in a provision of an instrument (such as SOLAS) or other writing applied, adopted or incorporated by this Marine Order, the expression has the same meaning as in that instrument or other writing, unless the contrary intention appears.</p>	<p>Under the Guidelines for Lifting Appliances (MSC.1-Circ.1663) and the Guidelines for Anchor Handling Winches (MSC.1-Circ.1662) the Administration is to specify the knowledge and experience required to perform duties under the Guidelines for regulated Australian vessels.</p>
	<p>Division 2A Lifting appliances and anchor handling winches</p>	

13A Application and interpretation

This Division applies to a lifting appliance or anchor handling winch, and associated loose gear, installed on a vessel to which Chapter II-1 of SOLAS applies other than a lifting appliance mentioned in paragraph 1.2 of regulation 3-13 of that chapter.

13B Lifting appliances

(1) The owner of a vessel must ensure that:

(a) for a lifting appliance installed on the vessel on or after 1 January 2026 —

(i) it is designed, constructed and installed in accordance with requirements of a recognised organisation; and

(ii) it is load tested and thoroughly examined as follows:

(A) after installation and before being used for the first time; and

(B) after repair, modification or alteration of major character; and

(iii) it is permanently and clearly marked with, and has documentary evidence of, the safe working load (SWL); and

(b) for a lifting appliance installed on the vessel before 1 January 2026 — it meets the following no later than the first renewal survey on or after 1 January 2026:

(i) it is tested and thoroughly examined in accordance with the *Guidelines for Lifting Appliances* MSC. 1/Circ. 1663, as approved on 28 June 2023, or as revised or replaced from time to time; and

(ii) it is permanently and clearly marked with, and has documentary evidence of, the safe working load (SWL).

Penalty: 50 penalty units.

(2) The owner of a vessel must ensure the following for any lifting appliance installed on the vessel:

(a) it is tested, thoroughly examined, inspected, operated and maintained in accordance with regulation 3-13 of Chapter II-1 of SOLAS and the *Guidelines for Lifting Appliances* MSC. 1/Circ. 1663, as approved on 28 June 2023, or as revised or replaced from time to time; and

(b) it complies with the record keeping arrangements that apply to it mentioned in the *Guidelines for Lifting Appliances* MSC. 1/Circ. 1663, as approved on 28 June 2023, or as revised or replaced from time to time.

Penalty: 50 penalty units.

(3) The owner of a vessel must ensure that loose gear used in association with a lifting appliance complies with the arrangements that apply to it mentioned in

Introducing new sections with requirements from MSC.532(107) amending SOLAS Chapter II-1 relating to anchor handling winches, lifting appliances and associated loose gear, covering:
1. design, construction, and installation
2. testing, thorough examination and inspection
3. determination and marking of the safe working load
4. record-keeping arrangements

Also, introducing a new section with requirements specifying the measures to be undertaken to mitigate risks associated with inoperative lifting appliance and

the *Guidelines for Lifting Appliances* MSC. 1/Circ. 1663, as approved on 28 June 2023, or as revised or replaced from time to time.

Penalty: 50 penalty units.

(4) An offence against subsection (1), (2) or (3) is a strict liability offence.

(5) A person is liable to a civil penalty if the person contravenes subsection (1), (2) or (3).

Civil penalty: 50 penalty units.

13C Anchor handling winches

(1) The owner of a vessel must ensure that:

(a) for an anchor handling winch installed on or after 1 January 2026 —

(i) it is designed, constructed and installed in accordance with the requirements of a recognised organisation; and

(ii) it is load tested and thoroughly examination as follows:

(A) after installation and before being taken into use for the first time; and

(B) after repairs, modifications or alterations of major character; and

(iii) it has a permanent and clear markings; and

(b) for an anchor handling winch installed before 1 January 2026 — it is tested and thoroughly examined in accordance with the *Guidelines for Anchor Handling Winches* MSC. 1/Circ. 1662, as approved on 27 June 2023, or revised or replaced from time to time, no later than the first renewal survey on or after 1 January 2026.

Penalty: 50 penalty units.

(2) The owner of a vessel must ensure the following for any anchor handling winch installed on the vessel:

(a) it is tested, thoroughly examined, inspected, operated and maintained in accordance with regulation 3-13 of Chapter II-1 of SOLAS and the *Guidelines for Anchor Handling Winches* MSC. 1/Circ. 1662, as approved on 27 June 2023, or revised or replaced from time to time; and

(b) it complies with the record keeping arrangements that apply to it mentioned in the *Guidelines for Anchor Handling Winches* MSC. 1/Circ. 1662, as approved on 27 June 2023, or revised or replaced from time to time.

Penalty: 50 penalty units.

(3) The owner of a vessel must ensure that loose gear used in association with an anchor handling winch complies with the arrangements that apply to it

anchor handling winches

	<p>mentioned in the <i>Guidelines for Anchor Handling Winches</i> MSC. 1/Circ. 1662, as approved on 27 June 2023, or revised or replaced from time to time.</p> <p>Penalty: 50 penalty units.</p> <p>(4) An offence against subsection (1), (2) or (3) is a strict liability offence.</p> <p>(5) A person is liable to a civil penalty if the person contravenes subsection (1), (2), or (3).</p> <p>Civil penalty: 50 penalty units.</p> <p>13D Inoperative lifting appliance or winch</p> <p>(1) The master of a vessel must:</p> <p>(a) take into account any inoperative lifting appliance or anchor handling winch when planning or undertaking a voyage; and</p> <p>(b) prevent the operation of any inoperative lifting appliance or anchor handling equipment; and</p> <p>(c) prevent the uncontrolled movement of any inoperative lifting appliance or anchor handling equipment; and</p> <p>(d) implement the storage, marking and record keeping arrangements for any inoperative lifting appliance or anchor handling appliance mentioned in the <i>Guidelines for Lifting Appliances</i> MSC. 1/Circ. 1663, as approved on 28 June 2023, or as revised or replaced from time to time, or the <i>Guidelines for Anchor Handling Winches</i> MSC. 1/Circ. 1662, as approved on 27 June 2023, or revised or replaced from time to time, as applicable.</p> <p>Penalty: 50 penalty units.</p> <p>(2) An offence against subsection (1) is a strict liability offence.</p> <p>(3) A person is liable to a civil penalty if the person contravenes subsection (1).</p> <p>Civil penalty: 50 penalty units.</p>	
Schedule 1 Regulated Australian vessels — additional requirements		
<p>1.5 Lifting gear and machinery space cranes — non-classed vessels</p> <p>(1) For lifting gear, including any machinery space crane, being used on a vessel that is not classed by a recognised organisation — the vessel must meet standards that are equivalent to standards that would apply to the lifting gear if the vessel were classed.</p> <p>(2) This section does not apply to lifting gear that is cargo handling equipment.</p>		<p>Clause 1.5 of Schedule 1 relates to lifting gear and machinery space cranes for non-classed vessels, this section is</p>

		obsolete and is now covered under the new requirements for lifting appliances
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Marine Order 32 (Cargo handling equipment) 2016	New text as modified by draft Marine Order Miscellaneous Amendment Order – Schedule 1 Division 2	Notes on changes
Division 3 Safe working load and certificates		
19 Determination and marking <p>(1) The master may permit the use of an article of material handling equipment for loading or unloading a vessel only if:</p> <p>(a) a competent person, having regard to the design, strength, material of construction and proposed use of the article has determined the safe working load of the article; and</p> <p>(b) the safe working load is marked on the article in a way that is durable and readily visible.</p> <p>(2) Subsection (1) does not apply to fibre rope, nets or slings.</p>	19 Determination and marking <p>(1) The master may permit the use of an article of material handling equipment for loading or unloading a vessel only if:</p> <p>(a) the following is met:</p> <p>(i) a competent person, having regard to the design, strength, material of construction and proposed use of the article has determined the safe working load of the article; and</p> <p>(ii) the safe working load is marked on the article in a way that is durable and readily visible: or</p> <p>(b) the safe working load of an article is determined and marked in accordance with Marine Order 12 (Construction — subdivision and stability, machinery and electrical installation) 2023.</p> <p>(2) Subsection (1) does not apply to fibre rope, nets or slings.</p>	Permitting the use of material handling equipment with an SWL determined and marked in accordance with the new requirements of Marine Order 12 when loading or unloading a vessel
20 SWL standards <p>determining the safe working load of an article of material handling equipment, a competent person must apply an Australian standard, or an equivalent international standard, that applies to the article.</p>	20 SWL standards <p>determining the safe working load of an article of material handling equipment for paragraph 19(1)(a), a competent person must apply an Australian standard, or an equivalent international standard, that applies to the article.</p>	Consequential amendment to align this reference to the changes to Section 19
22 Testing, examination, inspection and certification <p>(1) Each item of material handling equipment and each sling or lifting device forming an integral part of a load must comply with the provisions of Schedules 4, 6 and 8 that apply to the type of equipment.</p> <p>(2) Material handling equipment may be used for loading or unloading only if:</p> <p>(a) it has been tested, examined and certified and inspected in</p>	22 Testing, examination, inspection and certification <p>(1) Each item of material handling equipment and each sling or lifting device forming an integral part of a load must comply with the provisions of Schedules 4, 6 and 8 that apply to the type of equipment.</p> <p>(2) Material handling equipment may be used for loading or unloading only if:</p> <p>(a) the following is met:</p>	Permitting the use of material handling equipment tested, examined, inspected and

<p>accordance with Schedule 3; and</p> <p>(b) the current record of examination and inspection in the register of material handling equipment indicates that the equipment is fit for use; and</p> <p>(c) it is visually examined before being used, to confirm it is free of obvious defects.</p> <p><i>Note</i> Section 127 of the Navigation Act provides an offence for failure to comply with machinery and equipment checks required by the regulations.</p>	<p>(i) it has been tested, examined and certified and inspected in accordance with Schedule 3; and</p> <p>(ii) the current record of examination and inspection in the register of material handling equipment indicates that the equipment is fit for use; and</p> <p>(iii) it is visually examined before being used, to confirm it is free of obvious defects; or</p> <p>(b) it has been tested, examined, inspected and certified in accordance with Marine Order 12 (Construction — subdivision and stability. machinery and electrical installation) 2023.</p> <p><i>Note</i> Section 127 of the Navigation Act provides an offence for failure to comply with machinery and equipment checks required by the regulations.</p>	<p>certified in accordance with the new requirements of Marine Order 12 when loading or unloading a vessel</p>
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