



Australian Government
Australian Maritime Safety Authority

AMSA EX10

Marine Safety (Operation of fishing vessels) Exemption 2020

I, Michael Kinley, 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*.

29 June 2020

Michael Kinley
Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Operation of fishing vessels) Exemption 2020*.

2 Duration

This instrument commences on 1 July 2020 and ceases to have effect at the end of 30 June 2025.

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.

Note **Domestic commercial vessel** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 7.

NSCV — see section 6 of the national law, meaning of **National Standard for Commercial Vessels**.

NSCV Part D means *Part D — Crew competencies* of the NSCV.

specified operation means the operation, as master, of a domestic commercial vessel that is:

- (a) <15 m long as a fishing vessel in the fishing ship operational area as defined in Schedule 11 to the *Transport Operations (Marine Safety) Regulation 2004* (Qld) as in force on 30 June 2013; or
- (b) a tender boat operating as authorised under the *Fisheries Act 1994* (Qld) as a fishing vessel.

tender boat has the same meaning as in section 7 of Schedule 11 to the *Fisheries Regulation 2008* (Qld) as in force on 30 June 2013.

4 Exemption

A person is exempt from the requirement to hold a certificate of competency that would be required for the specified operation if the person holds:

- (a) a certificate of competency as Coxswain Grade 1 NC under NSCV Part D; or
- (b) for operation of a vessel mentioned in paragraph (b) of the definition of **specified operation** — a recreational marine licence.