



**Australian Government**  
**Australian Maritime Safety Authority**

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AMSA EX10

**Marine Safety (Operation of fishing vessels) Exemption 2022**

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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*.

16 November 2022

Michael Kinley  
Chief Executive Officer

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## 1 Name of instrument

This instrument is *Marine Safety (Operation of fishing vessels) Exemption 2022*.

## 2 Duration

This instrument commences on 1 January 2023 and ceases to have effect at the end of 30 June 2025.

## 3 Repeal

*Marine Safety (Operation of fishing vessels) Exemption 2020* is repealed.

## 4 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*.

***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.

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

***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.

## 5 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 issued under the national law; or
- (b) for operation of a vessel mentioned in paragraph (b) of the definition of ***specified operation*** — a Recreational Marine Driver Licence (RMDL).