



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

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AMSA EX13

**Marine Safety (Wildlife or other sightseeing) Exemption 2020**

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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*.

29 June 2020

**Michael Kinley**  
Chief Executive Officer

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## 1 Name of instrument

This instrument is *Marine Safety (Wildlife or other sightseeing) 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 and interpretation

(1) 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.

**specified operation** means an operation, using a domestic commercial vessel, for viewing wildlife or other sightseeing in an area permitted by a State or Territory.

(2) An approval given under *Marine Safety (Wildlife or other sightseeing) Exemption 2017* that is in effect and has not expired is taken to be an approval given under this instrument.

## 4 Exemption

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

- (a) the National Regulator considers that the person is able to be the master of a vessel that is:
  - (i) <12m long; and
  - (ii) <100 kW inboard or unlimited outboard powered; and
- (b) the National Regulator approves in writing the person conducting the specified operation in the area mentioned in the approval.

*Note* A fee may be charged — see s 9 of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

## 5 Conditions

- (1) The person must operate the vessel at less than 10 knots.
- (2) The National Regulator may make the approval subject to further conditions that take account of the local conditions of the waters in which the vessel is to operate.