



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

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AMSA EX25

**Marine Safety (Old certificates of competency — local restrictions)  
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 (Old certificates of competency — local restrictions) Exemption 2020*.

**2 Duration**

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

**3 Definitions**

In this instrument:

**national law** means the Marine Safety (Domestic Commercial Vessel) National Law — see Schedule 1 to the Marine Safety (Domestic Commercial Vessel) National Law Act 2012.

**National Regulator** means the Australian Maritime Safety Authority — see section 9 of the national law.

**old certificate of competency** — has the same meaning as in section 17 of the *Marine Safety (Domestic Commercial Vessel) National Law Regulation 2013*.

**4 Application**

This instrument applies to a person who held an old certificate of competency that was subject to a condition that restricted the person to duties within a State or the Northern Territory or an area of a State or the Northern Territory.

**5 Exemption**

- (1) The person is exempt from a requirement to comply with a condition imposed by paragraph 60(4)(a) of the national law if the condition is mentioned in section 4 and the National Regulator approves in writing performance of the duties without the condition.

*Note 1* Paragraph 60(4)(a) of the national law provides that an old certificate of competency is subject to the conditions that applied to the certificate prior to the commencement of the national law. An old certificate of competency issued by the maritime safety authority of a State or the Northern Territory prior to 1 July 2013 became a certificate of competency under the national law when it commenced on that date.

*Note 2* A fee may be charged — see s 9 of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

- (2) For subsection (1), an approval given under the following is taken to be an approval given under this instrument if it is in effect and has not expired:
- (a) *Marine Safety (Old certificates of competency — local restrictions) Exemption 2017*;
  - (b) *Marine Safety (Old certificates of competency — local restrictions) Exemption 2016*.

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**6 Conditions**

The National Regulator may make the approval subject to conditions that take account of the local conditions of the waters in which the vessel is to operate.

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