



Australian Government
Australian Maritime Safety Authority

AMSA EX26

Marine Safety (Expired certificates) 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 (Expired certificates) 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:

Marine Order 505 means *Marine Order 505 (Certificates of competency — national law) 2013*.

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.

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.

4 Application

This instrument applies to a person:

- (a) who held a certificate of competency (however described), issued by the maritime safety authority of a State or the Northern Territory, that expired before 30 June 2013 and was not previously a perpetual certificate; and
- (b) who applies for a certificate of competency that is an equivalent qualification, in accordance with Schedule 3 of Part D of the NSCV, to the certificate mentioned in paragraph (a); and
- (c) if the National Regulator is satisfied that, since the expiry, the person has met the criteria for renewal of the certificate of competency for which the person applies.

5 Exemption

The person is exempt from the requirement to meet the following criteria for the certificate of competency:

- (a) evidence of completion of a course, mentioned in paragraph (a) of the item in Schedule 1 to Part D of the NSCV, that relates to the certificate; and
- (b) for a certificate of competency mentioned in Subdivision 5.2 of Marine Order 505 — qualifying sea service requirements;
- (c) if the certificate of competency mentioned in paragraph 4(a) expired after 30 June 2008:
 - (i) for a certificate of competency mentioned in Subdivision 5.2 of Marine Order 505:
 - (A) colour vision test;

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- (B) vision test;
 - (ii) for a certificate of competency mentioned in Subdivision 5.3 of Marine Order 505 — qualifying sea service requirements, if the person meets the requirements mentioned in sections 29 and 30 of Marine Order 505 that would apply if the person were renewing a certificate of competency under that Subdivision;
 - (iii) final assessment.
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