



Australian Government
Australian Maritime Safety Authority

AMSA EX34

Marine Safety (Expired perpetual 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 perpetual certificates) 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 Order 505 means *Marine Order 505 (Certificates of competency — national law) 2013*.

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.

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

(1) This instrument applies to a person:

(a) who held a certificate of competency (however described) that:

- (i) was issued under a law of New South Wales; and
- (ii) expired because of clause 5 of Schedule 8 of the *Marine Safety (Commercial Vessels) Regulation 2010* (NSW); and
- (iii) was previously a perpetual certificate; and

(b) who has applied 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).

5 Exemption

The person is exempt from the requirement to meet the following criteria for the issue of a 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;
- (b) for a certificate of competency mentioned in Subdivision 5.2 of Marine Order 505 — qualifying sea service requirements;
- (c) 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.