



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

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AMSA EX44

**Marine Safety (Domestic commercial vessels – EIAPP certificate)  
Exemption 2023**

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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*.

9 June 2023

**Michael Kinley**  
Chief Executive Officer

**1 Name of instrument**

This instrument is *Marine Safety (Domestic commercial vessels – EIAPP certificate) Exemption 2023*.

**2 Duration**

This instrument:

- (a) commences when it is made; and
- (b) ceases to have effect on the earlier of:
  - (i) 31 December 2024; or
  - (ii) the repeal of *Marine Order 503 (Certificates of survey — national law) 2018*.

**3 Repeal**

*Marine Safety (Domestic commercial vessels — EIAPP certificate) Exemption 2022* made on 7 December 2022 is repealed.

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#### 4 Definitions

In this instrument:

**domestic commercial vessel** has the meaning given by the national law.

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

#### 5 Application

This exemption applies to a domestic commercial vessel that has been fitted with a marine diesel engine with propulsion power >130 kW after 30 June 2018.

#### 6 Exemption

The vessel is exempt from the requirement to comply with the issue criterion mentioned in paragraph 9(2)(c) of *Marine Order 503 (Certificates of survey — national law) 2018*.

*Note* This instrument of exemption relates to *Marine Order 503 (Certificates of survey — national law) 2018* only. *Marine Order 97 (Marine pollution prevention — air pollution) 2022* continues to require a marine diesel engine installed on a domestic commercial vessel in certain circumstances to have an EIAPP certificate and associated technical file in accordance with the NOx Technical Code. The requirement is set out in Division 7 of that Marine Order.