



Australian Government
Australian Maritime Safety Authority

AMSA EX04

Marine Safety (Recreational use) Exemption 2018 (No. 2)

I, Gary Prosser, Acting 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*.

3 October 2018

GARY PROSSER

Acting Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Recreational use) Exemption 2018 (No. 2)*.

2 Duration

This instrument commences when it is made and ceases to have effect at the end of 30 June 2020.

3 Repeal and transitional matters

The *Marine Safety (Recreational use) Exemption 2018* made on 12 June 2018 is repealed.

4 Exemption

A domestic commercial vessel that is being operated for recreational purposes is exempt from the crewing requirements and operational area limitations imposed by the national law and its certificate of operation, subject to the conditions mentioned in this instrument.

5 Conditions

(1) The vessel must:

- (a) not be used in connection with a commercial, governmental or research activity at the same time as the vessel is used for recreational purposes; and
- (b) comply with maximum load and passenger restrictions; and

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- (c) comply with local recreational vessel requirements, except those requiring the vessel to be registered as a recreational vessel or to meet Australian Builder's Plate requirements.

Note for paragraph (c) In particular, local recreational laws covering safety equipment (including wearing life jackets), operational area limitations, crew qualification requirements, safety of waterskiers and waterway management issues may apply.

- (2) The vessel's safety management system must deal with the risks of operating the vessel for recreational use.
- (3) Any powered equipment, lifting equipment or other machinery that could pose a danger to passengers must be secured or isolated from passengers.
- (4) Any operation for recreational purposes must be recorded in the vessel's log book.
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