



Australian Government
Australian Maritime Safety Authority

AMSA EX20

Marine Safety (Special operations) Exemption 2017

I, Gary Prosser, Acting Chief Executive Officer of the Australian Maritime Safety Authority (the National Marine Safety Regulator) made under section 9 of the *Marine Safety (Domestic Commercial Vessel) National Law* make this Order under subsection 143(1) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

12 December 2017

Gary Prosser
Acting Chief Executive Officer

1 Name of Order

This instrument is *Marine Safety (Special operations) Exemption 2017*.

2 Duration

This instrument:

- (a) commences on 1 February 2018; and
- (b) ceases to have effect at the end of 30 June 2020.

3 Repeal and transitional matters

- (1) *Marine Safety (Special operations) Exemption 2013* made on 21 June 2013 is repealed.
- (2) However, a written approval that was issued under that instrument and in effect on 31 January 2018 continues in effect until the end of 30 June 2020 as if the instrument under which it was issued had not been repealed.

4 Definitions — the dictionary

A definition in the dictionary applies to each use of the word or expression in this instrument.

Note The dictionary is located at the end of the instrument.

5 Exemption

A person is exempt from the requirement to hold a certificate of competency that would be required for the specified operation if:

- (a) the National Regulator considers that the person is able to be the master of a workboat that is:
 - (i) $\leq 7.5\text{m}$ long; and
 - (ii) $\leq 38\text{ kW}$ outboard powered; and
 - (iii) operating in smooth and inland waters; and
 - (iv) not carrying passengers; and
 - (v) operating within 100 m from shore or a structure attached to the shore; and
- (b) the National Regulator approves in writing the person conducting the specified operation in the area mentioned in the approval.

6 Conditions

- (1) The person must hold any licence that would be required to operate the vessel recreationally in the waters in which the person carries out the specified operation.
- (2) The National Regulator may make the approval subject to further conditions that take account of the local conditions of the waters in which the vessel is to operate.

Dictionary

(section 4)

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.

specified operation means an operation, as master, of a domestic commercial vessel connected with infrastructure building or maintenance workboat operations.

workboat means a vessel that is not a fishing vessel or a passenger vessel, as defined in Part B of the NSCV.
