



Australian Government

Australian Maritime Safety Authority

Australian National Annex
to the

Red Ensign Group Yacht Code Part A

Draft – August 2022

Copyright

The Australian Maritime Safety Authority encourages the dissemination and exchange of information provided in this publication.

Except as otherwise specified, all material presented in this publication is provided under [Creative Commons Attribution 4.0 International](#) licence. This excludes:

- *the Commonwealth Coat of Arms*
- *AMSA's logo*
- *content attributed to third parties.*

The Creative Commons Attribution 4.0 International Licence is a standard form licence agreement that allows you to copy, distribute, transmit and adapt this publication provided that you attribute the work. The details of the version 4.0 of the licence are available on the [Creative Commons website](#), as is the full [legal code](#) for that licence

Attribution

AMSA's preference is that you attribute this publication (and any material sourced from it) using the following wording: Australian National Annex to the Red Ensign Group Yacht Code Part A

Source: Australian Maritime Safety Authority *AMSA Marine Order 52 (Yachts and training vessels) 2022*

More information

For inquiries regarding copyright including requests to use material in a way that is beyond the scope of the terms of use that apply to it, please [contact us](#).

Preliminary

The *Red Ensign Group Yacht Code*, effective from 1 January 2019, sets out standards of safety and pollution prevention which are appropriate to the size and type of yacht. The standards applied are either set by the relevant International Conventions or by equivalent standards where it is considered not reasonable nor practicable for yachts to comply.

The *Red Ensign Group Yacht Code* is in three parts:

1. Part A, which updates and replaces the Large Commercial Yacht Code (the LY3 Code);
2. Part B, which updates and replaces the Passenger Yacht Code (the PYC previously a separate document); and
3. Common Annexes.

This document, known as the Australian National Annex, modifies for Australia the requirements of *Red Ensign Group Yacht Code Part A* (REGYC Part A) published by the United Kingdom Maritime and Coastguard Agency. REGYC Part A is available free from the publications page of the Red Ensign Group.¹ The LY3 Code is available free from the publications page of the Government of the United Kingdom website.²

Australia does not currently recognise the *Red Ensign Group Yacht Code Part B*.

Marine Order 52 (Yachts and training vessels) 2022 (MO52), made under the *Navigation Act 2012*, establishes the requirements for Regulated Australian Vessels (RAVs) that are yachts and training vessels³.

RAVs that are yachts ≥ 24 m in load line length are required to have a Certificate of Compliance (Large Yacht) issued under the *Navigation Act 2012* in accordance with MO52⁴. The criteria for issue of this certificate, is that the vessel and its equipment and appliances comply with REGYC Part A as modified by this Annex.

REGYC Part A is to be read in conjunction with the Australian National Annex to the REGYC Part A for the purposes of MO52 and the vessel specific Certificate of Compliance (Large Yacht). All Marine Orders referred to in this Annex can be accessed on the Marine Order page on the AMSA website at www.amsa.gov.au

This annex takes into account CORRIGENDA NO1 and CORRIGENDA NO2, available at [Red Ensign Group: Publications and Guidance](#).

¹ [Red Ensign Group: Publications and Guidance](#).

² <https://www.gov.uk/government/collections/ly3-the-large-yacht-code>

³ Yacht and training vessel is defined in section 4 of MO52.

⁴ See section 7 of MO52.

Amendment History

Version	Date of Issue	Author	Nature of Change
Draft for external consultation	16 August 2022	Kevin Porter & Jo Fisher (AMSA)	<p>Revision of Australian National Annex to incorporate the REG Ensign Group Yacht Code Part A (REGYC Part A), which updates the LY3 Code.</p> <p>The REGYC Part A will apply to vessels designed and constructed after 1 January 2019.</p> <p>The LY3 Code and the accompanying LY3 Code Australian National Annex will continue to apply to vessels designed and constructed under the LY3 Code prior to 1 January 2019.</p>

Foreword to the Australian National Annex

The Code was first published in 1997 as the Code of Practice for the Safety of Large Commercial Sailing and Motor Vessels and was known as LY1. The Code was updated in 2005, and the revised version was known as LY2. LY3 then entered into force on 20 August 2013 and incorporated requirements to give effect to the Maritime Labour Convention (MLC) 2006. REGYC Part A is the fourth version of the code.

Australia is implementing REGYC Part A as modified for Australia by this Annex to provide the survey and certification standards for yachts 24 m and greater in load line length. Yachts not covered under the Code Part A (i.e. less than 24 m in load line length) must comply with survey and certification requirements of MO52 as applied to the yacht and *Marine Order 31 (Vessel surveys and certification) 2019*, as a cargo ship.

REGYC Part A applies to vessels designed and constructed after 1 January 2019. REGYC Part A applies to all vessels that are yachts 24 metres and over in load line length, are in commercial use for sport or pleasure, do not carry cargo and do not carry more than 12 passengers.

The LY3 Code and the accompanying LY3 Code Australian National Annex will continue to apply to vessels designed and constructed under the LY3 Code prior to 1 January 2019.

Australia has notified the International Maritime Organization⁵ of the implementation of REGYC Part A in Australian law. The application of REGYC Part A is to large yachts as an equivalent arrangement under the provisions of Article 8 of the *International Convention on Load Lines 1966*, Regulation I-5 of the *International Convention for the Safety of Life at Sea*, and Article 9 of the *International Convention on Standards of Training Certification and Watchkeeping for Seafarers 1978*, as amended.

It is recommended that where applicable, Australian recreational vessels comply with REGYC Part A as modified by this Australian National Annex.

NOTE: This Australian National Annex contains specific national requirements and information for regulated Australian vessels that are yachts 24 m and greater in load line length. These requirements use the same section numbers as REGYC Part A.

Where a requirement is listed it either replaces the corresponding text in REGYC Part A or is additional new text for Australia.

Where no reference is made to a section number or a term has not been defined, the requirements of the REGYC Part A are to be complied with.

⁵ The reference to the IMO Circular Letter Number will be included, when published.

CHAPTER 1 Application and Interpretation

- 1.2 (1) This section does not apply to vessels built before 21 July 1968 or vessels that are 150GT⁶ or over and which, at the time, are in commercial use for sport or pleasure and carry no cargo and no more than 12 passengers.
- 1.2 (5)⁷ The replacement, addition and / or modification of propulsion and auxiliary machinery is to comply with the applicable requirements of *Marine Order 97 (Marine Pollution Prevention – Air) 2013*.
- 1.2 (6)⁸ This section does not apply to Regulated Australian Vessels.
- 1.5 (2) Yachts which intend to operate in Polar Regions must meet requirements of *Marine Order 53 (Vessels in polar waters) 2016* and the requirements of REGYC Pt A, in association with this Annex.
- 1.6 (2) Vessels, the keels of which were laid or were at a similar stage of construction before 1 January 2019, which have and have been or are currently under survey to LY1, LY2 or LY3, may be considered under the basis of the equivalents provision in MO52. The equivalents provision applies in relation to the standards in force at the time of initial survey with the exception of the sections mentioned in 1.6(2) a.-w. below⁹. If using the equivalents provision, vessels must comply with:
- a. Marine Order 25 for lifejackets
 - b. Marine Order 25 for recovery of persons from the water
 - c. Marine Order 21 for emergency training and drills
 - d. Marine Order 15 for materials
 - e. Marine Order 21 for emergency training and drills
 - f. Marine Order 21 for emergency training and drills
 - g. Marine Order 15 for CO2 fire extinguishing systems
 - h. Marine Order 15 for firefighter's communication
 - i. Marine Order 27 for availability of radio equipment
 - j. Marine Order 27 for vessels of 300GT and over, have Long-Range Identification and Tracking of ships (LRIT) fitted
 - k. Marine Order 27 for vessels of 150GT and over, have Bridge Navigational Watch Alarm System (BNWAS) fitted
 - l. Marine Order 27 for nautical publication
 - m. Marine Order 21 for portable atmosphere testing instruments
 - n. Marine Order 27 for the specified regulations referred to in SOLAS Chapter V
 - o. Marine Orders 12 and 16 for protection of personnel
 - p. Marine Order 31 for vessels under 500 GT for safety management
 - q. Marine Orders 21, 70, 71, 72, 73, 74 for manning, certification and hours of work
 - r. Marine Order 25 for operational readiness, maintenance and inspections
 - s. Marine Order 11 for medical care and carriage of medical stores
 - t. Refer to Tables 1 and 2 of this Annex
 - u. Marine Order 31 for survey, certification¹⁰
 - v. Refer to the Department of Home Affairs for matters related to the International ship and port facility Code

⁶ "tons" means gross tons, measured in accordance with the British Regulations for measuring tonnage in force on 20 July 1968

⁷ Refer CORRIGENDA NO2

⁸ Refer CORRIGENDA NO2

⁹ Numbering n.-w. takes into account CORRIGENDA NO2.

¹⁰ Part IV, Sections 185 and 186 of the *Navigation Act 2012* address the requirements for the reporting of incidents. Refer to the link: [Incident reporting \(amsa.gov.au\)](https://www.amsa.gov.au/incident-reporting)

- w. Marine Order 52 for existing sailing yachts, which may take advantage of the definition of a 'Short Range Yacht' in the REGYC Part A.
- 1.6(4)¹¹ Vessels the keels of which were laid or were at a similar stage of construction on or after the 1st January 2019, must comply with this edition of the Code as modified by the Australian National Annex to the REGYC Part A.
- 1.7(1) Where a question of interpretation of any part of this Code arises, which cannot be resolved by a delegated authority and the Company (or for vessels under 500 GT — the owner(s)/managing agent(s) for a vessel) a decision on the interpretation may be obtained on written application to AMSA FSC: FSC@amsa.gov.au.
- 1.7(2) Where there is a conflict between the requirements of the Code Part A and this Annex the requirements of the Annex take precedence.
- 1.8 Refer to Marine Order 52.
- 1.9 The process for Alternative Design and Arrangements outlined in this section must be followed. Any application must be made via the equivalence process under section 6 of *Marine Order 52 (Yachts and training vessels) 2022*.
- 1.10 An owner or designer wanting to apply for an exemption must contact the AMSA appointed Recognised Organisation in the first instance, to discuss the exemption being considered. An application can then be made using the AMSA Form 288 (available at amsa.gov.au). AMSA may grant an exemption application under Section 334 of the *Navigation Act 2012*.

¹¹ Refer CORRIGENDA NO2

CHAPTER 2 Definitions

- 2.1 Definitions in the *Navigation Act 2012* and MO52 assist in interpreting this Annex.
- 2.2 The definitions in the following table apply for expressions used in this Annex or the Code.

Term	Definition
Administration	Australian Maritime Safety Authority (AMSA)
Aviation Inspection Body	means the Civil Aviation Safety Authority (CASA).
Commercial vessel	means a vessel which is not a recreational vessel and is not used for government or research activity.
Cargo	as defined in Part A of the Code.
Efficient	as defined in Part A of the Code.
Engaged in trade	a vessel engaged in trade is a vessel that is not a recreational vessel as defined in the <i>Navigation Act 2012</i> ; a vessel that is not a recreational vessel may include a vessel that is used for government or research activity – see definition above for commercial vessel.
Master	means the person who has command or charge of a vessel, but does not include a pilot.
Motor vessel	means a vessel which has a sole means of propulsion by either one or more power units.
MO	is the acronym for a Marine Order; Marine Orders issued under the <i>Navigation Act 2012</i> can be accessed on the Marine Order page link on the AMSA website at www.amsa.gov.au
MO52	means <i>Marine Order 52 (Yachts and training vessels) 2022</i> made under the <i>Navigation Act 2012</i> .
Merchant Shipping Notice	means a Marine Notice issued by AMSA.
New vessel	means a vessel to which this Code applies, the keel of which was laid or the construction or lay-up was started on or after 1 January 2019.
National Standard for Commercial Vessels (NSCV)	as defined in the <i>Marine Safety (Domestic Commercial Vessels) Domestic Law Act 2012</i> .
Overseas voyage	defined in section 16 of the <i>Navigation Act 2012</i> .
Pleasure vessel	has the same meaning as 'recreational vessel' defined in the <i>Navigation Act 2012</i> (section 14).
Position 1	as defined in Part A of the Code, and taking into account the Unified Interpretation at IMO Res.MSC.1/1534 as amended from time to time, and IMO Res.MSC.1/1535/REV.1 as amended from time to time.
Position 2	as defined in Part A of the Code, and taking into account the Unified Interpretation at IMO Res.MSC.1/1534 as amended from time to time,

	and IMO Res.MSC.1/1535/REV.1 as amended from time to time.
Prescriptive requirements	as defined in Part A of the Code, unless clause 1.7(2) of this Annex applies.
Recognised Organisation (RO)	means an organisation prescribed in <i>Marine Order 1 (Administration) 2015</i> Schedule 1 for the purposes of section 14 of the <i>Navigation Act 2012</i> . For the purposes of <i>the Code</i> Part A a Classification Society is taken to mean a Recognised Organisation.
Sail training vessel	is covered by the definition of training vessel in <i>Marine Order 52 (Yachts and training vessels) 2022</i> .
Seafarer	as defined in section 14 of the <i>Navigation Act 2012</i> .
SHOULD → MUST	where ‘should’ is included in the Code, Part A, it is taken as meaning must.
To Sea	means ‘ <i>taken to sea</i> ’ as defined by section 22 of the <i>Navigation Act 2012</i> .

CHAPTER 3 Application of International Conventions and National Legislation

Annex L

L1 – Conventions – General

Every vessel that is to be certified in accordance with *Marine Order 52 (Yachts and training vessels) 2016* must also comply with the provisions of other applicable Conventions, as amended, and implemented through Marine Order series 1 – 98 inclusive as applicable to the design, construction, equipment and operation of the vessel.

L2 – COLREGs

Every vessel is to comply with *Marine Order 30 (Prevention of collisions) 2016*.

L3 – Prevention of Pollution (MARPOL)

Every vessel is to comply with all MARPOL requirements provided for in the *Navigation Act 2012* and the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983* and by:

- *Marine Order 91 (Marine Pollution Prevention – Oil) 2014*
- *Marine Order 96 (Marine Pollution Prevention – Sewage) 2013*
- *Marine Order 95 (Marine Pollution Prevention – Garbage) 2013*
- *Marine Order 97 (Marine Pollution Prevention – Air) 2013*.

For vessels of less than 400GT where MARPOL certification is not required, the vessel must demonstrate compliance with MARPOL. A Statement of Compliance, or equivalent document, issued by a RO will provide acceptable proof to demonstrate this compliance. Alternatively a vessel owner may request full MARPOL certification.

Vessels that intend to operate, or are designed to operate, in Polar Regions must also comply with *Marine Order 53 (Vessels in Polar Waters) 2016*.

L4 – Anti-fouling Convention

- (1) (a) Every vessel over 400 GT must comply with *Protection of the Sea (Harmful Anti-fouling Systems) Act 2006* and *Marine Order 98 (Marine pollution prevention - anti-fouling systems) 2013 (MO98)* requirements for survey and certification.

(b) Every vessel over 24 m in length but less than 400 GT must have on board an anti-fouling declaration as prescribed by MO98.

L5 – Ballast Water Management Convention

AMSA is not authorised in respect of the implementation of the Convention. Refer to the Department of Agriculture, Water and Environment (DAWE) [Australian Ballast Water Management Requirements - Department of Agriculture](#).

- (2) All vessels must comply with Australian [biofouling maintenance guidelines for yachts](#). [This includes recording all anti-fouling paint application and biofouling maintenance work carried out on the vessel](#). This is a quarantine issue for Australia and is administered by

the Department of Agriculture. See: [Managing biofouling in Australia - Department of Agriculture](#)

L6 – Bunkers Conventions

Refer to AMSA Marine Notice 3/2021 Application of the Bunkers Convention in Australia <https://www.amsa.gov.au/about/regulations-and-standards/32021-application-bunkers-convention-australia>.

L7 – Nairobi Convention:

Refer to AMSA Marine Notice 4/2015 Application of the wreck removal convention [4/2015—Application of the wreck removal convention \(amsa.gov.au\)](#)

L8 – The Maritime Labour Convention, 2006 (MLC)

Refer to *Navigation Act 2012* and *Marine Order 11 (Living and working conditions on vessels) 2015*.

L9 – The Polar Code

Refer to *Marine Order 53 (Vessels in polar waters) 2016*.

L10 – Ships using low-flashpoint fuels

For yachts proposing to use low-flashpoint fuels, these will be considered on a case-by-case basis via Marine Order 52, section 8.

L11 – Health and Safety

Owners and managing agents of vessels are required to comply with the *Occupational Health and Safety (Maritime Industry) Act 1993* and any relevant Commonwealth, state and territory health and safety laws.

L12 – National Legislation

Owners are advised that when operating within the coastal waters of a State or Territory, there may be additional legislative requirements that need to be complied with, in addition to that specified by the *Navigation Act 2012* and supporting Marine Orders.

CHAPTER 4 Construction and Strength

4.2 Structural strength

- (1) All vessels must be constructed in accordance with the requirements of a Recognised Organisation. New Vessels must be built to the requirements of a Recognised Organisation and issued with a commercial Certificate of Classification. Existing Vessels which do not have a Certificate of Classification issued by a Recognised Organisation must obtain such a certificate.

CHAPTER 12 Freeboard

12.2 Freeboard Mark and Loading

- (1) The deck and load line marks must comply with Regulations 4 and 5 of the *International Convention on Load Lines*, as amended from time to time. An All Seasons 'grid' may be used, comprising the Mark required by Regulation 5 and the Freshwater Mark required under Regulation 6 (e).

Note: Where an All Seasons 'grid' is applied, the Summer Load Line is marked corresponding to either the assigned:

- (i) Winter Load waterline, or
- (ii) Winter North Atlantic Load Line

Note: Vessels assigned an All Seasons 'grid' pay a 'dead weight penalty' during the Seasonal Summer Periods as defined in Annex II of the International Convention on Load Lines.

CHAPTER 13 Life Saving Appliances

13.3 Liferrafts

- (1) The liferafts specified in this paragraph of the Code provided with the equipment required to be carried by a liferaft in paragraph 4.1.5.1 of the IMO Life Saving Appliances Code (LSA Code) is modified as follows:

(a) the first-aid outfit must comply with Schedule 2 of *Marine Order 25 (Equipment - lifesaving) 2014*;

(b) in addition to the requirement of an efficient radar reflector or search and rescue locating device in the LSA Code, the liferaft must also have an EPIRB that:

- (i) is suitable for the operational area of the vessel; and
- (ii) is registered with AMSA; and
- (iii) meets:
 - (A) AS/NZS 4280.1:2003 406MHz satellite distress beacons — *Marine emergency position-indicating radio beacons (EPIRB)* (IEC 61097-2:2002, MOD); or

(B) another standard approved by AMSA.

Note 1: Depending on the intended area of operation of the vessel, a Class 3, 406MHz beacon as described in AS/NZS 4280.1:2003 may be suitable for a liferaft. A Class 3 beacon, however, is not suitable for use in temperatures below -20°C. Under section 8 of Marine Order 25, AMSA may exempt a vessel from the requirement that a life raft carry an EPIRB. Serialised coding of EPIRBs is recommended.

Note 2: See AMSA's website at <http://www.amsa.gov.au> for information about how to register a 406MHz EPIRB.

13.4 Rescue Boats

- (1) (b)¹² The means to lower the rescue boat from within the rescue boat is required. Note this requirement considers the situation where the last person to leave the vessel may be making use of the rescue boat.

¹² Refer CORRIGENDA NO2

(2) (b)¹³ Refer to (1) (b) above.

(3) (b) (iv)¹⁴ Refer to (1) (b) above.

(3) (e)¹⁵ The requirements of Marine Order 25 apply.

13.5 *Lifejackets*

(1) One adult SOLAS approved lifejacket should be provided for each person onboard plus spare adult lifejackets sufficient for at least 10% of the total number of persons onboard or two, whichever is the greater. Each lifejacket should be fitted with a light and whistle. In addition to the above a sufficient number of lifejackets stowed in working spaces for the use of seafarers who may be required to remain on duty in those spaces, should be provided.

13.6 *Immersion Suits*

(1) The requirements of *Marine Order 25 (Equipment — lifesaving) 2014*, s.40 must be complied with.
The requirements of *Marine Order 25 (Equipment — lifesaving) 2014*, Schedule 1, Division 2, s.3 as applicable, must be complied with.

13.14 *Recovery of Persons From the Water*

(1) The requirements of *Marine Order 25 (Equipment — lifesaving) 2014* must be complied with.

13.15 *Marine Evacuation Systems*

(1) Where it is proposed to install a Marine Evacuation System (MES) of an approved type that complies with the LSA Code the following is to be taken into account:

The Life Saving Appliance (LSA) Code Chapter VI, Section 6, 6.2.2.1.7 requires the MES to be:

“capable of providing a satisfactory means of evacuation in a sea state associated with a wind of force 6 on the Beaufort scale.”

Yachts proposing to utilise such systems are to ensure that in the event of an evacuation required in excess of the environmental conditions described above, an additional means of evacuation, using equipment of an approved type in accordance with the LSA Code, is installed for the number of persons for which the MES has been approved.

CHAPTER 15A Fire Appliance Vessels of Less than 500 GT

Table 15A.1 Fire appliances – Vessels of Less than 500 GT

Item 6, Footnote 37: Refer to *Marine Order 15 (Construction — fire protection, fire detection and fire extinction) 2014*, Schedule 3, Clause 3 - General, reference 10.3.2.1.

Item 8, Footnote 39: Refer to *Marine Order 15 (Construction — fire protection, fire detection and fire extinction) 2014*, Schedule 1, Clause 4, where an onboard means of recharging facility is provided.

¹³ Refer CORRIGENDA NO2

¹⁴ Refer CORRIGENDA NO2

¹⁵ Refer CORRIGENDA NO2

- 15A.9 *Additional Equivalence Considerations*
(1) Refer to the process to be followed in *Marine Order 52 (Yachts and training vessels) 2022*, section 8.

CHAPTER 15B Fire Appliance Vessels of 500 GT and over

- 15B.2 *Additional Equivalence Considerations*
(1) Refer to the process to be followed in *Marine Order 52 (Yachts and training vessels) 2022*, section 6.

CHAPTER 16 Radio

- 16.1 *Radio Communications: The Global Maritime Distress and Safety System (GMDSS)*
(2)¹⁶ Installations on existing vessels are to be in accordance with the requirements of *Marine Order 27 (Safety of navigation and radio equipment) 2016*.
- 16.1 (3) *Operational Performance*
All yachts >300 GT must comply with *Marine Order 27 (Safety of navigation and radio equipment) 2016*, which gives effect to SOLAS Chapter IV. All yachts (short range or otherwise) <300 GT must comply with the functional requirements of section 25 (2) of *Marine Order 27 (Safety of navigation and radio equipment) 2016*, examples of radio installations are provided in Schedule 3 to *Marine Order 27, 'GMDSS equipment for vessels to which Chapter IV of SOLAS does not apply'*.

CHAPTER 17 Navigation Lights, Shapes and Sound Signals

- 17.1 *General requirements*
All vessels are to comply with the *International Regulations for Preventing Collisions At Sea, 1972*, as amended from time to time, implemented by *Marine Order 30 (Prevention of collisions) 2016*.
- 17.3¹⁷ *Alternative arrangements in cases where compliance is impractical*
For vessels where compliance is impracticable, alternatives may be considered in accordance with the provisions of *Marine Order 52 (Yachts and training vessels) 2022*.
- 17.4¹⁸ *Additional Equivalence Considerations*
(1) Refer to the process to be followed in *Marine Order 52 (Yachts and training vessels) 2022*, section 6.

CHAPTER 18 Navigational Equipment and Visibility From Wheelhouse

- 18.1 *General Requirements*

¹⁶ Refer CORRIGENDA NO2

¹⁷ Refer CORRIGENDA NO2

¹⁸ Refer CORRIGENDA NO2

All vessels must comply with *Marine Order 27 (Safety of navigation and radio equipment) 2016*, with regard to the provision of navigational equipment.

18.6 *Bridge visibility*

- (1) Vessels less than 55 m in length are to comply with *Marine Order 21 (Safety and emergency arrangements) 2016*, subsection 11(3).
- (4) Proposals for the use of cameras will be specially considered, full details and information are to be submitted for review to the recognised organisation prior to any submission to AMSA with comments and recommendations.

18.7 *Additional Equivalence Considerations*

- (1) Refer to the process to be followed in *Marine Order 52 (Yachts and training vessels) 2022*, section 6.

CHAPTER 19 **Miscellaneous¹⁹**

19.1 *Nautical Publications*

- (1) Vessels are to comply with *Marine Order 27 (Safety of navigation and radio equipment) 2016*, section 20 as applied to the vessel's gross tonnage.

19.8²⁰ *Navigational Procedures*

- (1) Vessels are to comply with *Marine Order 27 (Safety of navigation and radio equipment) 2016* as applicable.

CHAPTER 20 **Anchors and Cables**

20.1 *General Requirements*

- (2) A vessel not equipped in accordance with 20.1(1) must comply with the requirements of *Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2016* subsection 10(4), as applicable.

20.2 *Additional Equivalence Considerations*

- (1) Refer to the process to be followed in *Marine Order 52 (Yachts and training vessels) 2022*, section 6.

CHAPTER 21 **Accommodation and Recreational Facilities - Vessels of Less than 200 GT that do not Trade Internationally**

21.1 *General*

- (1) Vessels must meet the requirements as applied to that vessel in accordance with *Marine Order 11 (Living and working conditions on vessels) 2015*, subsection 6(3).

21.2 *Lighting*

- (1) Vessels must comply with *Marine Order 11 (Living and working conditions on vessels) 2015*, section 50.

21.3 *Heating*

¹⁹ Refer CORRIGENDA NO2

²⁰ Refer CORRIGENDA NO2

- (1) Vessels must comply with *Marine Order 11 (Living and working conditions on vessels) 2015*, section 49.
- 21.4 *Food Preparation, Storage and Messing*
Vessels must comply with the requirements of *Marine Order 11 (Living and working conditions on vessels) 2015* sections 61 and 62 unless as indicated below:
- 21.4 (1) Vessels are to comply.
- 21.4 (4) Vessels are to comply.
- 21.4 (5) Vessels are to comply.
- 21.4 (7) Vessels are to comply with this requirement so far as is as reasonable and practicable for the layout and configuration of the vessel.
- 21.7 Vessels are to comply.
- 21.8 (1) Vessels are to comply with *Marine Order 11 (Living and working conditions on vessels) 2015* section 42.
- 21.8 (2) Vessels are to comply with *Marine Order 11 (Living and working conditions on vessels) 2015* section 41.
- 21.9 Vessels are to comply with *Marine Order 11 (Living and working conditions on vessels) 2015* section 54.
- 21.10 Vessels are to comply with *Marine Order 11 (Living and working conditions on vessels) 2015* section 41.

CHAPTER 21A Accommodation and Recreational Facilities - Vessels Of Less than 200 GT

Vessels should comply with requirements of *Marine Order 11 (Living and working conditions on vessels) 2015*, Division 6, which gives effect to the Maritime Labour Convention (MLC) 2006 accommodation and recreational facility requirements.

- 21A.1 *General*
(1) The term 'trade internationally' has the same meaning as 'overseas voyage' defined in section 16 of the *Navigation Act 2012*.

CHAPTER 21B Accommodation and Recreational Facilities - Vessels Of 200 GT and Over

Vessels should comply with requirements of *Marine Order 11 (Living and working conditions on vessels) 2015*, as applicable to the vessel.

CHAPTER 22 Protection of Personnel

The vessel is to comply with Chapter 22 noting the following:

The vessel is to include procedures facilitating safe working for all operations on board, complying with section 1.2.3. of the ISM Code. Guidance can be taken from the relevant Safe Work Australia Codes of Practice. See <http://www.safeworkaustralia.gov.au/sites/swa/model-whs-laws/model-cop/pages/model-cop>

22.1 *General Requirements*

- (1) Vessels must comply with either:
- the Code requirements mentioned in O3 – Lifts (of Annex O), or
 - *Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2016* Schedule 1 section 1.4.

These standards must not be combined.

Annex O3 – Lifts

- (4) Dumb-waiters must be constructed of steel or equivalent material and comply with the highest vertical fire zone rating through which the trunk passes with regard to structural fire protection, detection and extinguishing arrangements.

22.4 *Noise*

- (1) Vessels constructed after 20 August 2013 being 500 GT and above, shall comply with subsection 52(1) of *Marine Order 11 (Living and working conditions on vessels) 2015*. For other vessels, the IMO Resolution MSC.337 (91) is to be applied as far as is reasonable and practicable.
- (2) It is recommended that vessels under 500 GT adopt the IMO Maritime Safety Committee (MSC) Resolution MSC.337(91) as amended.
- (7) Vessels covered by the Code must meet the requirements of paragraph 22.4 (3) to 22.4 (6) inclusive, so far as is reasonable and practicable.

CHAPTER 23A Safety Management Vessels of Less Than 500 GT

23A.1 *General Requirements*

- (3) The owner of the vessel who has agreed to take over all the duties and responsibilities imposed by the ISM Code (in the ISM Code called the **Company**) has given the issuing body (Recognised Organisation) a written declaration that there is in place for the vessel a safety management system that complies with Part A of the ISM Code.

CHAPTER 24 Manning, Certification and Hours of Work

- 24.1(1) The requirements of Annex G are varied as follows:

G3 – Safe Manning

Vessels must comply with *Marine Order 21 (Safety and emergency arrangements) 2016*, sections 9 and 10.

Proposals to carry trainees less than 16 years of age will be considered on a case-by-case basis on application to AMSA.

A training vessel may carry a combination of passengers and trainees. However, a training vessel operating under the Code must carry no more than 12 passengers at any time.

Proposals to carry more than 12 trainees will be considered on a case-by-case basis on application to AMSA.

Vessels must have, and comply with, a Minimum Safe Manning Document (MSMD) issued by AMSA. Details and requirements for preparing and applying for a MSMD are at: <http://www.amsa.gov.au/vessels/manning/>

- G3 (8) Applications for safe manning documents are to be in accordance with AMSA form 93: [Application for a minimum safe manning document \(amsa.gov.au\)](http://www.amsa.gov.au/vessels/manning/)
- G3 (11) Qualifications and Training are to be in accordance with *Marine Order 74 (Masters and deck officers — yachts) 2015*.
- G3 (13) a. Seafarer Employment Agreements must be onboard and comply with *Marine Order 11 (Living and working conditions on vessels) 2015*.

G4 – Medical Fitness

- (1) Seafarers serving on board vessels engaged on:
 - a. international voyages require medical certificates using AMSA form 303: [Certificate of medical fitness for international certificates \(amsa.gov.au\)](http://www.amsa.gov.au/vessels/manning/)
 - b. near coastal voyages require medical certificates using AMSA form 559: [Certificate of medical fitness for a near coastal certificate \(amsa.gov.au\)](http://www.amsa.gov.au/vessels/manning/)

CHAPTER 25 Helicopter Landing Areas

25.1 General Requirements

- (1) In addition to the requirements of Annex H, *Marine Order 57 (Helicopter operations) 2016 (MO57)* are to be reviewed. Where the requirements of the Code and MO57 do not align, MO57 requirements take precedence.

CHAPTER 26 Operational Readiness, Maintenance and Inspections

26.1 General Requirements

For Annex I1 – Life-Saving Appliances and Arrangements, the following is noted:

- (2) Footnote 13 is to be read, taking into account IMO Res. MSC. 402(96) *Requirement for Maintenance, Thorough Examination, Operation Testing, Overhaul and Repair of Lifeboats and Rescue Boats, Launching Appliances and Release Gear*.

CHAPTER 27 Medical Care and Carriage of Medical Stores

27.1 General Requirements

- (1) All vessels are to meet the requirements of Division 12 of *Marine Order 11 (Living and working conditions on vessels) 2015*.

CHAPTER 28 Ship-Shore Transfer of Personnel

28.1 General Requirements

(1) Annex K

K2 – Pilot Boarding Arrangements:

- (2) All vessels are to also comply with *Marine Order 21 (Safety and emergency arrangements) 2016* section 12.

K3 – Gangways, Passerelles, and Accommodation Ladders

- (3) Vessels are to meet the requirements of *Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2016* section 22.

- (7) The standards:

BSMA 78:1978 - Gangways; and
BSMA 89:1980 - Accommodation Ladders;
are excluded.

Marine Order 52 (Yachts and training vessels) 2022 section 6, may be considered.

K4 – Submersible Craft

- (1) (g) Diving systems to which IMO Resolution A.831 (19) *Code of safety for diving systems*, as modified from time to time, are expressed to apply, are to comply with that Code. Any other diving operations must be undertaken in accordance with procedures that are in the vessel's safety management system, as appropriate, for key onboard operations.

CHAPTER 29 List of Certificates to be Issued

29.1 General Requirements

- (1) Refer to Table 1 and Table 2.

CHAPTER 30 Survey, Certification and Accident Investigations

Annex N

N1 – General

- (1) All vessels to which this National Annex applies are to be surveyed and certified in accordance with the applicable requirements of Marine Order series 1-98.
(2) Statutory work is to be undertaken by AMSA surveyors appointed under the *Navigation Act 2012* or by surveyors of a Recognised Organisation appointed by AMSA.

N2 – Survey and Certification

- (1) All ships covered by this Code are required to be surveyed and certified in accordance with the applicable requirements of the survey guidelines under the IMO Harmonized System of Survey and Certification adopted by IMO resolution A.1140(31), as amended from time to time, as applicable to:
a. cargo ships for Part A vessels.
(2) Vessels less than 500 GT must hold a Certificate of Survey for a yacht or training vessel that meets the criteria in section 20 of MO52, instead of SOLAS certificate(s).

N4 – Use of a Recognised Organisation Surveyor to act on the behalf of the Administration

- (1) An exclusive surveyor from a Recognised Organisation and proposed by the Society may be appointed from time to time to act on behalf of AMSA in cases when it is impracticable for a surveyor of AMSA to make the visit necessary for the survey.
- (2) When a Recognised Organisation surveyor is so appointed, actions taken are to be under direct instruction of AMSA. AMSA will provide the appointed surveyor with detailed guidance on the scope of survey and report required.

N5 – Accident Investigations

- (1) AMSA implements an incident reporting system, the details of which may be found here: <https://www.amsa.gov.au/vessels-operators/incident-reporting#collapseArea315>, which are to be complied with. There is also an obligation to report to the Australian Transport Safety Bureau (ATSB).
- (2) Under section 23A of *Marine Order 1 (Administration) 2013*, it is an offence not to report a marine incident in which a vessel is involved — see sections 185 and 186 of the *Navigation Act 2012*. If a report of a marine incident is made, AMSA may start an investigation to decide if a survey of the vessel should be conducted.
- (3) For the purposes of investigation, the ATSB investigation takes precedence. ATSB has the lead on accident investigation reporting at the IMO.
- (4) All very serious marine casualties in accordance with the IMO definition are reported to IMO through ATSB.

CHAPTER 31 International Ship and Port Facility Code

31.1 General Requirements

- (1) Vessels should comply with the ISPS Code that is mandatory under Chapter XI-2 of SOLAS. AMSA is not the delegated authority with regards to the implementation of the ISPS Code. For further information refer to <https://www.homeaffairs.gov.au/about-us/our-portfolios/transport-security/maritime-security>.

Table 1 Certification required for yachts and training vessels

NOTE: The certification requirements in the following table cover all yachts and training vessels subject to Marine Order 52.

Certification	Subject/ Convention	Application Limits	Details and Remarks	Reference (Marine Order or other)	Delegation/responsibility
International Tonnage Certificate	Tonnage ITC 69	≥24 metres	All vessels	MO19	Issuing Body ²¹
International Load Line Certificate	Load Line ILLC'66 as modified by the '88 Protocol	≥24 metres	Intact Stability & Subdivision Standard; Using equivalent standards of the Code. Includes Load Line Record of Conditions of Assignment	MO16	Issuing Body
	Inclining Test, Stability			MO12	Issuing Body
Cargo Ship Safety Construction Certificate	Construction SOLAS 74	≥500 GT	Construction	MO12	Issuing Body
	Fire Protection SOLAS 74	≥500 GT	Structural Fire Protection & Means of Escape - Using the equivalent standards of the Code	MO15	Issuing Body
Cargo Ship Safety Equipment Certificate	Fire Appliances SOLAS '74	≥500 GT		MO15	Issuing Body
	Life Saving Appliances SOLAS '74	≥500 GT	Life Saving Appliances	MO25	Issuing Body
	Navigation Equipment SOLAS '74	≥500 GT	Navigation lights, sounds, signals etc.	MO27, MO30	Issuing Body

²¹ Issuing Body means AMSA or a Recognised Organisation identified in Schedule 1 of *Marine Order 1 (Administration) 2013*.

Certification	Subject/ Convention	Application Limits	Details and Remarks	Reference (Marine Order or other)	Delegation/responsibility
Cargo Ship Safety Radio Certificate	Radio SOLAS 74	≥300 GT	Approved Service Provider's appointed by Issuing Body must be used for installation, testing of equipment.	MO27	Issuing Body
	MO27 applies	<300GT ²²			
Certificate of Survey for a Yacht or Training Vessel		≥24m, < 500 GT		MO52 (section 17(1)(a))	Issuing Body ²³
Certificate of Survey for a Yacht or Training Vessel		<24m, <500 GT	These vessels are not subject to Part A of the REG Yacht Code or the Australian National Annex.	MO52 (section 17(1)(b)) MO31	Issuing Body ²⁴
Unrestricted			'Unrestricted' means a vessel that is not 'Restricted'. 'Restricted' has the meaning consistent with the definition of 'Short Range Yacht' in Part A of the Code.		
Restricted					
Safe Manning Document	Manning STCW 95	≥500 GT	Must obtain a Manning Determination from AMSA	MOs 70, 71, 72, 73, 74.	AMSA
		<500 GT			
International Oil Pollution Prevention Certificate (IOPP)	MARPOL Annex I	≥400 GT	Pollution prevention equipment. Includes Shipboard Oil Pollution Emergency Plan (SOPEP).	MO91	Issuing Body
		<400 GT	'Statements', 'Documents' or 'Attestations' of Compliance to be issued by the Issuing Body. The Owner may request full IOPP certification.		
Certification	Subject/ Convention	Application Limits	Details and Remarks	Reference (Marine Order or other)	Delegation/responsibility

²² The Certificate of Survey issued to a Yacht of <300 GT incorporates Radio equipment within the Record of Equipment (Form YY) attached to the certificate.

²³ The same certificate of survey format is used for all vessels of less than 500 GT, including those not subject to Part A of the Code. The limitations in the certificate of survey and the details in the Certificate of Compliance will identify where a large yacht is either unrestricted or restricted.

²⁴ The same certificate of survey format is used for all vessels of less than 500 GT, including vessel of less than 24m that are not subject to Part A of the Code.

International Sewage Pollution Prevention Certificate (ISPP)	MARPOL Annex IV	≥400 GT, <400 GT and >15 persons		MO96	Issuing Body
		<400 GT ≤15 persons	'Statements', 'Documents' or 'Attestations' of Compliance to be issued by the Issuing Body. The Owner may request full ISPP certification		
(None required)	MARPOL Annex V	≥100 GT, ≥15 persons	At the request of the Owner, 'Statement' or 'Document' of Compliance to demonstrate may be issued by the issuing body or class.	MO95	Issuing Body
International Air Pollution Prevention (IAPP) Certificate	MARPOL Annex VI	≥400 GT		MO97	Issuing Body
Engine International Air Pollution Prevention (EIAPP) Certificate		Marine diesel engines ≥ 130kW	NO _x requirements of Regulation 13 refers.		
International Energy Efficiency (IEE) Certificate		≥ 400 GT	Includes Ship Energy Efficiency Management Plan (SEEMP)		
Safety Management Certificate	International Safety Management Code	≥500 GT	Comply with Chapter 23B of Part A of the Code.	MO58	Issuing Body
		<500 GT	The owner of the vessel who has agreed to take over all the duties and responsibilities imposed by the ISM Code (in the ISM Code called the Company) has given the issuing body a written declaration that there is in place for the vessel a safety management system that complies with Part A of the ISM Code, as if it were a vessel to which the Chapter IX of SOLAS applies.	MO31 (Schedule 2 item 2.2)	Issuing Body

Certification	Subject/ Convention	Application Limits	Details and Remarks	Reference (Marine Order or other)	Delegation/responsibility
---------------	---------------------	--------------------	---------------------	-----------------------------------	---------------------------

International Ship Security Certificate	International Ship and Port Facility Security Code	≥500 GT	See Maritime security (homeaffairs.gov.au)		Australia Department of Home Affairs
International Anti-Fouling System Certificate	International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001	≥24 m ≥400 GT		MO98	Issuing Body
Declaration on Anti-fouling System		≥24 m but <400 GT		MO98	Owner or Owner's Authorised Agent
Maritime Labour Certificate	Maritime Labour Convention (MLC), 2006	≥500 GT	Seafarer living & working conditions. Includes the DMLC Part I and DMLC Part II.	MO11 (Subsection 78(2))	Issuing Body
		≥200 GT but <500 GT		MO11 (Subsection 78(3)) ²⁵	
Certificate of Compliance for a Large Yacht	Various	≥ 24 m	This certificate confirms compliance with Part A of the Code as amended by the Australian National Annex.	MO52	Issuing Body
Certificate of Classification		All vessels			Classification Society
Certificate of Australian Registration		All vessels	Shipping Registration Act 1981		AMSA Shipping Registration Office: Shipping Registration Office (amsa.gov.au)
Continuous Synopsis Record (CSR) file	SOLAS Chapter XI-I, Reg. 5	≥ 500 GT			AMSA Shipping Registration Office: Apply for a continuous synopsis record (amsa.gov.au)

²⁵ These vessels, while not requiring a MLC 2006 certificate, are required to demonstrate compliance with the Convention. In this regard, it is recommended that owners/operators of vessels obtain a DMLC Part I and DMLC Part II, for the purposes of port State control in order to reduce the likelihood of the vessel being delayed.

Table 2

Miscellaneous Supporting Documentation/Certification for yachts and training vessels

Documentation /Certification	Subject/ Convention	Limits	Details and Remarks	Regulation	Delegation/Responsibility
Ship Station Radio License		All vessels	Radio requirements for Australian vessels, refer to Marine Order 27		https://www.acma.gov.au/licences/maritime-ship-radio-licence
Asbestos Free declarations and supporting documentation, Certificate/report			All Australian vessels irrespective of size from 31 December 2003. SOLAS Ch. II-I Reg. 3-5.2 has required the same prohibition from 1 January 2011.	AMSA Marine Notice 2016/12 MO12 (section 9.1)	Refer to IMO Circulars MSC.1/1374, MSC.1/1379, MSC.1/1426 Rev.1, placing the obligation on the Administration or the recognised organisation (Issuing Body). See also the <i>Occupational Health and Safety (Maritime Industry) (National Standards) Regulations 2003</i>
Australian requirements: Ballast water management plan and reporting.	Ballast water - International Convention for the Control and Management of Ship's Ballast Water and Sediments	All	See: Australian Ballast Water Management Requirements - Department of Agriculture		Australian Department of Agriculture, Water and Environment
Australian requirements: Biofouling maintenance guidelines and log book		All	Recording all biofouling maintenance work on a vessel. See: Managing biofouling in Australia - Department of Agriculture		Australian Department of Agriculture, Water and Environment

Documentation /Certification	Subject/ Convention	Limits	Details and Remarks	Regulation	Delegation/Responsibility
Wreck Removal Certificate of Insurance	Nairobi International Convention on the Removal of Wrecks, 2007	≥300 GT	Australia is not currently a Party to the Wreck Removal Convention. Ships flagged in countries that are not parties will need to obtain a certificate from a relevant authority in a State Party.	See Marine Notice 4/2015	A full list of signatory State Parties is available on the IMO website: Status of Conventions (imo.org)
Certificate of Insurance or other Financial Security in respect of Civil Liability for Bunker Oil Pollution Damage.	International convention on Civil Liability for Bunker Oil Pollution, 2001	≥1000 GT		<i>Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008</i> Marine Notice 06/2016	AMSA
Ships sanitation and certification		All	Ship Sanitation Control Exemption Certificates and Ship Sanitation Control Certificates are issued in accordance with Article 39 of the International Health Regulations (2005) (IHR). Ship sanitation certificates may be required for all vessels on international voyages that call at a port of a State that is a party to the IHR.		Please see the link: Ship sanitation certification - Department of Agriculture
Relevant insurance certificate	International Convention on Civil Liability for Oil Pollution Damage	≥400 GT up to 1000 GT	Proof of possession of adequate insurance cover.	Part IIIA of the <i>Protection of the Sea (Civil Liability) Act 1981</i> . Marine Notice 03/2021	AMSA

