



Australian Government
Australian Maritime Safety Authority

AMSA EX2013/13

Marine Safety (Wildlife or other sightseeing) Exemption 2013

I, Graham Peachey, 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*.

21 June 2013

Graham Peachey
Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Wildlife or other sightseeing) Exemption 2013*.

2 Duration

This instrument:

- (a) commences on 1 July 2013; and
- (b) ceases to have effect at the end of 30 June 2018.

3 Definitions

In this instrument:

specified operation, for a domestic commercial vessel, means an operation using the vessel for viewing wildlife or other sightseeing in an area permitted by a State or Territory.

4 Exemption

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

- (a) the National Regulator considers that the person is able to be the master of a vessel that is:
 - (i) < 12m long; and
 - (ii) < 100 kW inboard or unlimited outboard powered; and

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- (b) the National Regulator approves in writing the person conducting the specified operation in the area mentioned in the approval.

Note 1 The National Regulator may grant an exemption, or impose conditions on an exemption, only if satisfied that the exemption and its conditions will not jeopardise the safety of the vessel or a person on board the vessel — see subsection 143(6) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

Note 2 A fee may be charged — see s 9 of the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

5 Conditions

- (1) The person must operate the vessel at less than 10 knots.
- (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.