



Australian Government
Australian Maritime Safety Authority

AMSA EX44

**Marine Safety (Domestic commercial vessels – EIAPP certificate)
Exemption 2021**

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*; and

subsection 334(1) of the *Navigation Act 2012*.

19 May 2021

Michael Kinley
Chief Executive Officer

1 Name of instrument

This instrument is *Marine Safety (Domestic commercial vessels – EIAPP certificate) Exemption 2021*.

2 Duration

This instrument commences on its making and ceases to have effect immediately before the commencement of *Marine Order 97 (Marine pollution prevention — air pollution) 2021*.

3 Definitions

In this instrument:

Annex VI means Annex VI of the International Convention for the Prevention of Pollution from Ships, 1973 as amended and in force from time to time.

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

EIAPP certificate (short for engine international air pollution prevention certificate) has the meaning given by *Marine Order 97 (Marine pollution prevention — air pollution) 2013*.

inspector has the meaning given by the *Navigation Act 2012*.

marine safety inspector 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*.

National Regulator has the meaning given by the national law.

recognised organisation has the meaning given by the *Navigation Act 2012*.

4 Exemption

If the conditions in section 5 are met, a domestic commercial vessel is exempt from:

- (a) paragraph 9(2)(c) of *Marine Order 503 (Certificates of survey — national law) 2018*; and
- (b) paragraph 10(a) of *Marine Order 97 (Marine pollution prevention — air pollution) 2013*.

Note These provisions require certain vessels to have an EIAPP certificate.

5 Conditions

- (1) The owner of the vessel must have one of the following documents for each marine diesel engine installed on the vessel stating or showing that the engine is likely to comply with the emission limits that apply to it under regulation 13 of Annex VI:
 - (a) a product manual from the engine manufacturer;
 - (b) correspondence from the engine manufacturer;
 - (c) emission certification issued by or for an International Maritime Organization member state;
 - (d) a statement of compliance issued by a recognised organisation.
- (2) The document relied on for subsection (1) must be available for inspection on request by the National Regulator, an inspector or a marine safety inspector.
- (3) The owner of the vessel must ensure that the engine is not modified to the extent that the modification results in a change from the original manufacturer's tested configuration.

Note A vessel undertaking an overseas voyage is not exempt under this instrument and requires an EIAPP certificate.