



**Australian Government**  
**Australian Maritime Safety Authority**

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AMSA EX17

**Marine Safety (Great Barrier Reef Region and Torres Strait zone)  
Exemption 2022**

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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*.

16 November 2022

Michael Kinley  
Chief Executive Officer

## 1 Name of instrument

This instrument is *Marine Safety (Great Barrier Reef Region and Torres Strait zone) Exemption 2022*.

## 2 Duration

This instrument commences on 1 January 2023 and ceases to have effect at the end of 30 June 2025.

## 3 Repeal

Marine Safety (Great Barrier Reef Region and Torres Strait zone) Exemption 2020 is repealed.

## 4 Definitions

In this instrument:

**Class 1 vessel** means a vessel that has the vessel use category 1 under section 2.1 of NSCV Part B.

**Class 2 vessel** means a vessel that has the vessel use category 2 under section 2.1 of NSCV Part B.

**Class 3 vessel** means a vessel that has the vessel use category 3 under section 2.1 of NSCV Part B.

**Great Barrier Reef Region** has the same meaning as in the *Great Barrier Reef Marine Park Act 1975*.

**Marine Safety (Domestic Commercial Vessel) National Law** — see Schedule 1 to the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*.

**NSCV** — see section 6 of the national law, meaning of **National Standard for Commercial Vessels**.

**NSCV Part B** means *Part B — General requirements* of the NSCV.

**pontoon** means a barge that:

- (a) is not powered; and
- (b) is permanently anchored; and
- (c) if it does not have moored to it a vessel surveyed to service category Class 1 capable of carrying everyone on the barge — is equipped with the safety equipment that would be required for a Class 1 vessel operating lawfully in the area where the barge is anchored.

**specified operation** means performing duties of a master or crew member for a vessel in any of the following areas:

- (a) for a domestic commercial vessel surveyed to service category Class 1C or 2C or operating as a fishing vessel and surveyed to service category Class 3C — the Great Barrier Reef Region and the Torres Strait zone;
- (b) for a domestic commercial vessel surveyed to service category Class 1D, 1E, 2D or 2E that is permanently based at a pontoon surveyed to service category Class 1E anchored within the Great Barrier Reef Region or the Torres Strait zone — the area in which the vessel is in sight of, and is capable of communicating with, the pontoon;
- (c) for a domestic commercial vessel that is a pontoon surveyed to service category Class 1E — the Great Barrier Reef Region;
- (d) for a domestic commercial vessel surveyed to service category Class 1D, 1E, 2D or 2E that is operating from a Queensland island — the area in

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which the vessel is in sight of, and is capable of communicating with, the island.

*Note* **domestic commercial vessel** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 7.

**Torres Strait zone** means the area shown in Schedule 1.

## 5 Exemption

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

- (a) for a person who is to perform the duties of master or chief mate of a domestic commercial vessel that is  $\geq 35$  m long and  $< 80$  m long in the Great Barrier Reef Region or Torres Strait zone — a Master  $< 35$  m NC or a Master  $< 45$  m NC certificate of competency; or
- (b) for a person who is to perform the duties of chief mate of a domestic commercial vessel that is  $\geq 35$  m long and  $< 80$  m long in the Great Barrier Reef Region or Torres Strait zone — at least a Master  $< 24$  m NC certificate of competency; or
- (c) for a person who is to perform the duties of master of a vessel mentioned in paragraph (b) or (d) of the definition of **specified operation** — a Coxswain Grade 1 NC or a Coxswain Grade 2 NC certificate of competency.

# Schedule 1

(section 4)

