



Australian Government
Australian Maritime Safety Authority

AMSA Operations EX6231

Marine Order 54 (Torres Strait Draught Variation) - Exemption 2021

I, Benjamin Tifan, National Operations Manager – Central, Operations and a delegate of the Chief Executive Officer of the Australian Maritime Safety Authority, make this instrument under subsection 334(1) of the *Navigation Act 2012*.

08 October 2021

Benjamin Tifan

National Operations Manager – Central, Operations

1 Name of instrument

This instrument is *Marine Order 54 (Torres Strait Draught Variation) Exemption 2021*.

2 Duration

- (a) This instrument commences on 1 November 2021; and
- (b) ceases to have effect on 31 October 2026;

3 Repeal

- (1) The following exemptions are revoked:
 - (a) Marine Order 54 (Torres Strait draught regime) Exemption 2019 (No. 3)

4 Definitions

In this instrument:

Marine Order 54 means *Marine Order 54 (Coastal pilotage) 2014*.

UKCM system means the Under Keel Clearance Management system implemented by AMSA.

UKCM system monitoring area means the waters bounded on the north by latitude 10° 28'S; on the west by longitude 141° 50'E; on the south by latitude 10° 41'S; and on the east by longitude 142° 27'E.

Active UKCM system transit plan means a UKCM system transit plan created for the vessel in which the pilot is embarked and for which an 'ACTIVE' transit plan status has been set in the UKCM system.

Vessel means a vessel to which Section 162 of the Navigation Act 2012 applies.

5 Exemption for pilots

- (1) A pilot mentioned in clause 5(1) of Schedule 3 of Marine Order 54 is exempt from clause 5(2) of Schedule 3 of Marine Order 54 if the vessel being piloted has a draught of not more than 9 metres.
- (2) A pilot mentioned in clause 5(1) of Schedule 3 of Marine Order 54 is exempt from paragraph 5(1)(a) of Schedule 3 of Marine Order 54 while piloting a vessel, only if the vessel:
 - (a) has a maximum draught of 12.5m or less; and
 - (b) has on board:
 - (i) an active UKCM system transit plan for the whole time the vessel is within the UKCM system monitoring area; and
 - (ii) at least 1 complete hard-copy of the activated UKCM system transit plan for the intended transit with details including key UKCM waypoints, speeds (and calculated residuals), vessel dynamic motions and under keel clearance figures; and
 - (iii) a type-approved and fully functioning Class A Automatic Identification System (AIS).

6 Exemption for pilotage provider

- (1) The pilotage provider for a pilot mentioned in subsection 5(1) of this instrument is exempt from clause 7 of Schedule 1 of Marine Order 54 to the extent the pilot is exempt from clause 5(2) of Schedule 3.
- (2) The pilotage provider for each pilot mentioned in subsection 5(2) of this instrument is exempt from clause 7 of Schedule 1 of Marine Order 54. The exemption is subject to the condition that the pilotage provider must ensure that each pilot who pilots a vessel does so in accordance with clause 5 of Schedule 3 of Marine Order 54 as it applies to the pilot, taking into account the exemptions and conditions mentioned in subsection 5(2) of this instrument.