



Australian Government
Australian Maritime Safety Authority

AMSA EX48

Marine Safety (Houseboats) Exemption 2024

I, Christopher Barber, Acting National Operations Manager, Operations Division and a delegate of the 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*.

Dated 10 May 2024

Christopher Barber

Acting National Operations Manager, Operations Division

1 Name of instrument

This instrument is *Marine Safety (Houseboats) Exemption 2024*.

2 Duration

This instrument:

- (a) commences on its making; and
- (b) ceases to have effect at the end of 30 June 2029.

3 Definitions

In this instrument:

Marine Order 504 means *Marine Order 504 (Certificates of operation and operation requirements — national law) 2018*.

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

Note ***National Regulator*** is defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 6.

operational area category E has the meaning given by *Part B—General requirements of the NSCV*.

vessel use category class 4 has the meaning given by *Part B—General requirements of the NSCV*.

4 Application

- (1) Subject to subsection (2), this instrument applies to a domestic commercial vessel that is:
 - (a) a vessel that has been assigned a vessel use category class 4; and
 - (b) ≤ 24 m long; and
 - (c) a houseboat.
- (2) The vessel must be engaged in an operation that is:
 - (a) any of the following activities:
 - (i) relocation within marina;
 - (ii) maintenance or survey;
 - (iii) pump out of sewage;
 - (iv) refuelling;
 - (v) delivery or retrieval of the vessel; and
 - (b) conducted in operational area category E.
- (3) This instrument also applies to a person who undertakes duties or performs functions on the vessel.

5 Exemption — minimum crewing

For a certificate of operation issued in relation to a vessel that is subject to this exemption — the owner of the vessel is exempt from the minimum crewing requirements imposed under the *Marine Safety (Domestic Commercial Vessel) National Law*.

6 Exemption — certificate of competency

- (1) Subject to subsection (2), a person who is undertaking duties or performing functions on a vessel subject to this exemption is exempt from holding a certificate of competency for those duties or functions that would otherwise be required under the *Marine Safety (Domestic Commercial Vessel) National Law*.
 - (2) A person must:
 - (a) hold a certificate of competency that is at least a Coxswain Grade 3 NC; and
 - (b) have received onboard induction, familiarisation and training for the vessel in accordance with Marine Order 504; and
 - (c) only operate the vessel in daylight hours; and
 - (d) not operate the vessel if any passenger is onboard; and
 - (e) not be in command of the vessel while it is under a hire arrangement.
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