



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

AMSA EX49

**Marine Safety (Domestic commercial vessels — compliance with international standards) Exemption 2024**

---

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*.

27 September 2024

**Michael Kinley**  
Chief Executive Officer

**1 Name of instrument**

This instrument is *Marine Safety (Domestic commercial vessels — compliance with international standards) Exemption 2024*.

**2 Duration**

This instrument:

- (a) commences on 1 March 2025; and
- (b) ceases to have effect at the end of 28 February 2030.

**3 Definitions**

In this instrument:

*issuing body* has the meaning given by the *Navigation Act 2012*.

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

*safety certificate* means a certificate issued under section 100 of the *Navigation Act 2012*.

*Note* *National Regulator* and *certificate of survey* are defined in the *Marine Safety (Domestic Commercial Vessel) National Law* — see section 6.

**4 Application**

This instrument applies to a domestic commercial vessel that has previously operated as a regulated Australian vessel and is required to operate with a

---

certificate of survey issued under the *Marine Safety (Domestic Commercial Vessel) National Law*.

*Note* This exemption does not permit a vessel to proceed on an overseas voyage.

## 5 Exemption

- (1) If a domestic commercial vessel meets subsection (2), the following provisions of *Marine Order 503 (Certificates of survey — national law) 2018* are disapplied:
  - (a) subsection 5(2);
  - (b) section 8;
  - (c) subsection 9(1) and subsection 9(2);
  - (d) paragraphs 10(1)(c), (d) and (e).
- (2) The vessel must:
  - (a) for the first issue of a certificate of survey — have held a safety certificate within 2 years before any application for the certificate's issue; and
  - (b) comply with the standards that were evidenced by the certificate; and
  - (c) have a valid certificate of classification.

## 6 Conditions

The exemption is subject to the following conditions:

- (a) the owner of the vessel must ensure that the vessel continues to meet:
  - (i) the standards that were evidenced by the certificate mentioned in paragraph 5(2)(a) including for:
    - (A) survey or inspection; and
    - (B) structure, equipment, systems, fittings or arrangements; and
  - (ii) the rules and regulations imposed by its classification society; and
- (b) the owner of the vessel must ensure that any documentation issued by an issuing body or the vessel's classification society in relation to compliance with the matters mentioned in paragraph (a) is carried on board and readily accessible at all times including for examination on request by the National Regulator.

*Note 1* Failure to comply with a condition of an exemption is an offence under section 144 of the national law.

*Note 2* *Marine Orders 31 (SOLAS and non-SOLAS certification) 2019* sets out which certificates may be held by a vessel without it becoming a regulated Australian vessel.