



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

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AMSA MO 2017/5

**Marine Orders (Navigation Act) Administrative Amendment Order 2017**

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I, Michael Kinley, Chief Executive Officer of the Australian Maritime Safety Authority, make this Order under subsection 342(1) of the *Navigation Act 2012*.

5 October 2017

**Michael Kinley**  
Chief Executive Officer

**1 Name of Order**

This Order is *Marine Orders (Navigation Act) Administrative Amendment Order 2017*.

**2 Commencement**

This Order commences on the day after it is registered.

**3 Amendment of Marine Orders**

Each Order mentioned in the title of a Schedule to this Order is amended in accordance with the Schedule.

**Schedule 1 Marine Order 12 (Construction — subdivision and stability, machinery and electrical installations) 2016**

**[1] Subparagraph 10(1)(a)(i)**

*omit*

3 and 6

*insert*

3, 5 and 6

**[2] Section 23**

*substitute*

**23 Access to vessels in port — responsibility of persons boarding or disembarking**

- (1) A person boarding or leaving a vessel must use the means of access provided or identified by the master.

Penalty: 50 penalty units.

- (2) An offence against subsection (1) is a strict liability offence.

- (3) A person is liable to a civil penalty if the person contravenes subsection (1).

Civil penalty: 50 penalty units.

**Schedule 2 Marine Order 25 (Equipment — lifesaving) 2014**

**[1] Subsection 4(1), after definition of *GT***

*insert*

***launching appliance*** means a means of transferring a survival craft or rescue boat from its stowed position safely to the water.

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**[2] Section 30**

*substitute*

**30 Cargo vessels certified Class 2C — survival craft and rescue boats**

- (1) The vessel must comply with sections 33, 34 and 35 as if it were certified as Class 2A or 2B.
- (2) If the vessel is less than 25 m long it must:
  - (a) comply with section 36 as if it were certified as Class 2A or 2B; and
  - (b) have at least 1 liferaft that complies with Table 3 of subsection 7A of Part C of the NSCV.

**[3] Section 33**

*substitute*

**33 Survival craft and rescue boats — vessels at least 85 m long**

- (1) If the vessel is at least 85 m long, it must comply with the requirements mentioned in subsection (2) or (3).
- (2) For subsection (1), the requirements are that the vessel carries:
  - (a) on each side of the vessel — at least 1 lifeboat with a total capacity of at least the number of persons that the vessel is certified to carry; and
  - (b) either:
    - (i) on each side of the vessel — at least 1 liferaft with a total capacity of at least half the number of persons that the vessel is certified to carry; or
    - (ii) at least 1 liferaft that has a total capacity of at least half the number of persons that the vessel is certified to carry and that is stowed to allow easy side-to-side transfer at a single open deck level.
- (3) For subsection (1), the requirements are that the vessel carries:
  - (a) at least 1 free-fall lifeboat that:
    - (i) complies with section 4.7 of the LSA Code; and
    - (ii) has a total capacity of at least the number of persons that the vessel is certified to carry; and
  - (b) on each side of the vessel — at least 1 inflatable or rigid liferaft that:
    - (i) complies with section 4.2 or 4.3 of the LSA Code; and
    - (ii) has a total capacity of at least the number of persons that the vessel is certified to carry; and
    - (iii) is served by a launching appliance.

**[4] Schedule 1, subsubparagraph 10(1)(b)(iii)(A)**

*substitute*

- (A) AS/NZS 4280.1:2017 406 MHz satellite distress beacons — Marine emergency position-indicating radio beacons (EPIRB), as amended from time to time; or

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**[5] Schedule 1, subclause 10(1), note 1**

*omit*

4280.1:2003

*insert*

4280.1:2017, as amended from time to time,

**[6] Schedule 1, clause 13**

*omit*

in force

*insert*

amended

**Schedule 3 Marine Order 27 (Safety of navigation and radio equipment) 2016**

**[1] Paragraph 26(8)(e), note**

*omit*

**[2] Subsection 26(8), note**

*substitute*

*Note for paragraph (e)* The handbook for GMDSS ship station operators is available from the AMSA website at <http://www.amsa.gov.au>.

*Note* AMSA will consider exempting a vessel to which Chapter IV of SOLAS does not apply from paragraphs (8)(g) to (j).

**Schedule 4 Marine Order 28 (Operations standards and procedures) 2015**

**[1] Subsection 2(1), note**

*after*

<http://www.imo.org/publications>.

*insert*

The STCW Convention (ATS series number [1984] ATS 7) and STCW Code (ATS series number [1997] ATS 33) including any amendments in force are in the Australian Treaties Series accessible from the Australian Treaties Library on the AustLII website at <http://www.austlii.edu.au>.

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## **Schedule 5 Marine Order 32 (Cargo handling equipment) 2016**

### **[1] Section 4, note 1**

*after*

<http://www.amsa.gov.au>.

*insert*

Copies of incorporated documents will be made available for viewing free of charge at the nearest AMSA office, on request.

### **[2] Schedule 3, subclause 13(3), definition of *safety factor***

*after*

2017

*insert*

or in Appendix E of the ILO Code

### **[3] Schedule 3, subclause 13(4)**

*substitute*

- (4) Material, design, manufacture, marking, testing and certification of flat synthetic-webbing slings must comply with:

- (a) AS 1353.2-1997 *Flat Synthetic Webbing Slings Part 2: Care and use*, as in force on 1 January 2017; or
- (b) Appendix E of the ILO Code.

*Note* Standards mentioned in this clause will be made available for viewing free of charge at AMSA offices on request — see note 1 under section 4.

## **Schedule 6 Marine Order 34 (Sold bulk cargoes) 2016**

### **[1] Section 21, note**

*omit*

*31 (Vessel surveys and certification) 2015*

*insert*

*1 (Administration) 2013*

## **Schedule 7 Marine Order 63 (Vessel reporting systems) 2015**

### **[1] Schedule 3, clause 2, note**

*omit*

*Guidelines for the onboard operational use of shipborne automatic identification systems (AIS) adopted by IMO Resolution A.917(22)*

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*insert*

*Revised guidelines for the onboard operational use of shipborne automatic identification systems (AIS)*, adopted by IMO Resolution A.1106(29),

## **Schedule 8 Marine Order 91 (Marine pollution prevention — oil) 2014**

### **[1] Paragraph 37(1)(a)**

*omit*

IMO Resolution MEPC.107(49)

*insert*

*the Revised guidelines and specifications for pollution prevention equipment for machinery space bilges of ships*, adopted by IMO Resolution MEPC.107(49), as amended from time to time

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### **Note**

1. All legislative instruments and compilations of legislative instruments are registered on the Federal Register of Legislation under the *Legislation Act 2003*. See <https://www.legislation.gov.au>.