



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

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AMSA MO 2016/14

**Marine Order 97 (Marine pollution prevention — air pollution) Amendment  
2016 (No. 1)**

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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* and subsection 34(1) of the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*.

1 November 2016

**Michael Kinley**  
Chief Executive Officer

**1 Name of Order**

This Order is *Marine Order 97 (Marine pollution prevention — air pollution) Amendment 2016 (No. 1)*.

**2 Commencement**

This Order commences on 1 December 2016.

**3 Amendment of *Marine Order 97 (Marine pollution prevention — air pollution) 2013***

Schedule 1 amends *Marine Order 97 (Marine pollution prevention — air pollution) 2013*.

## **Schedule 1 Amendment**

**[1] Section 6, note 1**

*substitute*

*Note 1* Some terms used in this Order are defined in *Marine Order 1 (Administration) 2013* including:

- IMO
- MARPOL
- Navigation Act
- Pollution Prevention Act.

**[2] Section 6, after note 3**

*insert*

*Note 4* Information on obtaining copies of any IMO Resolution, IMO document or other document that is mentioned in this Order is available from the AMSA website Marine Orders link at <http://www.amsa.gov.au>.

**[3] Section 9**

*substitute*

**9 Equivalentents and waivers**

- (1) A person may apply, in accordance with the application process set out in *Marine Order 1 (Administration) 2013*, for approval to use an equivalent.
- (2) AMSA may approve the use of an equivalent if:
  - (a) it would be at least as effective as compliance with the requirement to which the equivalent is an alternative; and
  - (b) approving the use of the equivalent would not contravene regulation 4 of Annex VI.

*Note* *Marine Order 1 (Administration) 2013* deals with the following matters about equivalentents:

- making an application
- seeking further information about an application
- the time allowed for consideration of an application
- imposing conditions on approval of an application

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- notifying a decision on an application
  - review of decisions.
- (3) AMSA may give a waiver in accordance with regulation 19 of Annex VI from a requirement of the Order.

**[4] Section 22, note, paragraph (b)**

*omit*

*Standard specification for shipboard incinerators* adopted by IMO Resolution MEPC.76(40)

*insert*

*2014 Standard specification for shipboard incinerators* adopted by IMO Resolution MEPC.244(66)

**[5] Section 26, note**

*omit*

section 13A of *Marine Order 31 (Ship surveys and certification) 2006*

*insert*

section 48 of *Marine Order 31 (Vessel surveys and certification) 2015*

**[6] Section 27, note**

*omit*

*2012 Guidelines on the method of calculation of the Attained Energy Efficiency Design Index (EEDI) for new ships* adopted by IMO Resolution MEPC.212(63)

*insert*

*2014 Guidelines on the method of calculation of the attained Energy Efficiency Design Index (EEDI) for new ships* adopted by IMO Resolution MEPC.245(66)

**[7] Paragraphs 31(2)(a) and (b)**

*omit*

2009

*insert*

2015

**[8] Paragraph 31(3)(b)**

*omit*

2009

*insert*

2015

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**[9] Subsection 31(4)**

*omit*

**2009 Guidelines** means *2009 Guidelines for exhaust gas-SOx cleaning systems* adopted by IMO Resolution MEPC.184(59)

*insert*

**2015 Guidelines** means *2015 Guidelines for exhaust gas cleaning systems* adopted by IMO Resolution MEPC.259(68)

**[10] Subsection 34(2), note**

*omit*

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

*insert*

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

**[11] Subsection 34(3), note**

*omit*

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

*insert*

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

**[12] Further amendments**

<i>provision</i>	<i>omit each mention of</i>	<i>insert</i>
Section 6, note 2	2011	2013
Section 11	2011	2013
Subsection 22(6)	2011	2013
Subsection 37(2)	2011	2013

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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>.