



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

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AMSA MO 2017/6

**Marine Order 41 (Carriage of dangerous goods) 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*.

15 November 2017

**Michael Kinley**  
Chief Executive Officer

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## Division 1 Preliminary

### 1 Name of Order

This Order is *Marine Order 41 (Carriage of dangerous goods) 2017*.

### 1A Commencement

This Order commences on 1 January 2018.

### 1B Repeal of *Marine Order 41 (Carriage of dangerous goods) 2009*

*Marine Order 41 (Carriage of dangerous goods) 2009* is repealed.

### 2 Purpose

This Order:

- (a) gives effect to:
  - (i) Part A of Chapter VII of SOLAS, dealing with the carriage of dangerous goods in packaged form, and in particular the IMDG Code; and
  - (ii) Part D of Chapter VII of SOLAS, dealing with special requirements for the carriage of packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes, and in particular the INF Code; and
  - (iii) regulation 19.4 of Chapter II-2 of SOLAS dealing with the documentation for vessels that carry dangerous goods; and
- (b) prescribes the manner of giving notice of intention to ship dangerous goods.

### 3 Power

- (1) The following provisions of the Navigation Act provide for this Order to be made:
  - (a) subsection 112(4) which provides that the regulations may provide for the carriage on vessels of cargo;
  - (b) subsection 112(5) which provides that the regulations may provide for the carriage on vessels of cargo, including the loading, stowage, carriage and unloading of cargo and the giving of notices;
  - (c) subsection 112(6) which provides that the regulations may provide for the carriage of dangerous goods;
  - (d) subsection 112(7) which provides that the regulations may deal with specified matters relating to dangerous goods;
  - (e) paragraph 340(1)(a) which provides that the regulations may give effect to SOLAS.
- (2) Subsection 339(1) of the Navigation Act provides for regulations to be made prescribing matters required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to the Navigation Act.
- (3) Section 341 of the Navigation Act provides for the imposition of penalties in regulations.
- (4) Subsection 342(1) of the Navigation Act provides that AMSA may make a Marine Order about anything that may or must be made by the regulations.

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**Section 4**
**4 Definitions and interpretation**

(1) In this Order:

**consolidator** means a person who packs, or supervises the packing of, at least 1 consignment of cargo into a cargo transport unit.

**document of compliance to carry dangerous goods** means:

- (a) for a regulated Australian vessel — a document of compliance to carry dangerous goods mentioned in section 11; or
- (b) for a foreign vessel — a document of compliance to carry dangerous goods mentioned in regulation 19.4 of Chapter II-2 of SOLAS.

**handling** includes loading, unloading, stacking, stowing or restowing cargo and any operation incidental to or arising from those operations.

**IMDG Code** means the International Maritime Dangerous Goods Code that:

- (a) was adopted by IMO Resolution MSC.122(75); and
- (b) is in force on a mandatory basis for Chapter VII of SOLAS in accordance with the amendment procedure mentioned in Article VIII of that Convention.

**INF cargo** has the same meaning as in regulation 14 of Chapter VII of SOLAS.

**INF Code** means the *International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships*, adopted by IMO Resolution MSC.88 (71), and as amended and in force from time to time.

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

- IMO
- MARPOL
- Navigation Act
- SOLAS.

*Note 2* Other terms used in this Order are defined in the Navigation Act, including:

- dangerous goods
- issuing body
- master
- seafarer.

*Note 3* 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>. The text of the original SOLAS convention and any amendments in force are in the Australian Treaty Series, accessible through the Australian Treaties Library on the AustLII website at <http://www.austlii.edu.au>.

*Note 4* For delegation of AMSA's powers under this Order — see the AMSA website Marine Orders link at <http://www.amsa.gov.au>.

(2) In this Order, a term that is used but is not defined for this Order, and is used or defined in SOLAS or the IMDG Code, has the meaning given by SOLAS or the IMDG Code.

*Example* Definition of **cargo transport unit** in section 1.2.1 of the IMDG Code.

(3) For this Order:

- (a) a Cargo Securing Manual is **approved by the Administration** for regulation 5 of Chapter VII of SOLAS if it is approved:

- (i) for a regulated Australian vessel — by an issuing body; or
  - (ii) for a foreign vessel — by or for the Administration of the country where the vessel is registered; and
- (b) the **competent authority** for the IMDG Code is:
- (i) for a shipment of dangerous goods from Australia — AMSA; and
  - (ii) for section 2.0.5 of the IMDG Code — the Department of the Environment and Energy; and
- (c) the expression **authorized body** in Chapter 6.7 of the IMDG Code is taken to mean an issuing body; and
- (d) the expression **national material standards** in Chapter 6.7 of the IMDG Code is taken to mean the yield and ultimate strength, ductility and other mechanical or chemical criteria mentioned in:
- (i) AS 1210—2010 *Pressure vessels* existing at the time of making of this Order; or
  - (ii) ISO 16528-1:2007 *Boilers and pressure vessels* existing at the time of making of this Order; and
- (e) the expression **recognized pressure-vessel code** in Chapter 6.7 of the IMDG Code is taken to mean:
- (i) AS 1210—2010 *Pressure vessels* existing at the time of making of this Order; or
  - (ii) ISO 16528-1:2007 *Boilers and pressure vessels* existing at the time of making of this Order.
- (4) A person is taken to comply with the requirements of the IMDG Code mentioned in this Order if the person complies with the International Maritime Dangerous Goods Code and its amendments that IMO has agreed may be applied on a voluntary basis by Contracting Governments to SOLAS.

*Note* The definition of **IMDG Code** in subsection (1) has the effect of requiring compliance with the International Maritime Dangerous Goods Code that is mandatory under Chapter VII of SOLAS. However, the IMO invites SOLAS Contracting Governments to apply certain amendments to the International Maritime Dangerous Goods Code earlier than the agreed date for mandatory implementation. By this subsection, Australia is also giving effect to those amendments that may be applied on a voluntary basis.

## 5 Application

- (1) This Order applies to the carriage of dangerous goods on:
- (i) a regulated Australian vessel; and
  - (ii) a foreign vessel.
- (2) However, this Order does not apply to:
- (a) dangerous goods forming part of the equipment or stores required for the navigation, safety or maintenance of the vessel or required for the intended operations of the vessel; or
  - (b) dangerous goods to the extent that their handling is regulated under the *Explosives Act 1961*.

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### 6 Exemptions

- (1) A person may apply, in accordance with the application process set out in *Marine Order 1 (Administration) 2013*, for an exemption of a vessel from a requirement of this Order.
- (2) AMSA may give an exemption only if satisfied that:
  - (a) requiring compliance with the requirement would be unreasonable; and
  - (b) giving the exemption is in accordance with section 7.9.1 of the IMDG Code.
- (3) AMSA may give an exemption for up to 5 years.
- (4) An exemption is subject to the following conditions:
  - (a) the owner of a vessel must carry on board the vessel a copy of the exemption for inspection;
  - (b) any other condition imposed by AMSA to ensure safe vessel operations.

### 7 Approvals

- (1) A person may apply for an approval that is mentioned in:
  - (a) the IMDG Code for the testing, classification, packaging and carriage of dangerous goods; or
  - (b) section 26 for the equipment, procedures and methods relating to the stowage and securing of dangerous goods of Class 7.

*Note 1* A fee may be determined for processing an application under this section — see the *Australian Maritime Safety Authority Act 1990*, section 47.

*Note 2* An approval is known as a *Certificate of Approval*.

- (2) For paragraph (1)(a), AMSA may approve the testing, classification, packaging or carriage of dangerous goods if satisfied that the arrangement complies with SOLAS and the IMDG Code.
- (3) For paragraph (1)(b), AMSA may give approval if an inspection of the equipment, procedures and methods relating to the stowage and securing of dangerous goods of Class 7 in a cargo transport unit demonstrates that those matters are appropriate for the hazard presented by the cargo.

### 8 Review of decisions

A decision under section 11 or 12 is a reviewable decision for section 17 of *Marine Order 1 (Administration) 2013*.

## Division 2 Document of compliance to carry dangerous goods

### 9 Requirement for document of compliance

- (1) The master or owner of a vessel must not permit the loading of dangerous goods if:
  - (a) the dangerous goods are mentioned in regulation 19.4 of Chapter II-2 of SOLAS as requiring a document of compliance to carry dangerous goods; and

- (b) a document of compliance to carry dangerous goods is not in force for the vessel.  
Penalty: 50 penalty units.
- (2) The master or owner of a vessel must not permit the loading of dangerous goods if the loading is not in accordance with the document of compliance in force for the vessel.  
Penalty: 50 penalty units.
- (3) An offence against subsection (1) or (2) is a strict liability offence.
- (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2).  
Civil penalty: 50 penalty units.

### 10 Application for document of compliance

The master or owner of a regulated Australian vessel may apply to an issuing body for the issue of a document of compliance to carry dangerous goods.

### 11 Issue of document of compliance

- (1) An issuing body may issue a document of compliance to carry dangerous goods for a regulated Australian vessel if the vessel and its equipment complies with the requirements mentioned in regulation 19 of Chapter II-2 of SOLAS that apply.
- (2) An issuing body may issue a document of compliance to carry dangerous goods for up to 5 years.

### 12 Revocation of document of compliance

An issuing body may revoke a document of compliance to carry dangerous goods mentioned in section 11 if:

- (a) the criteria for the issue of the document of compliance are no longer met;  
or
- (b) the vessel is involved in a breach of this Order; or
- (c) the vessel to which the document of compliance relates ceases to be registered in Australia; or
- (d) the owner of the vessel asks in writing that the vessel's document of compliance be revoked.

## Division 3 Requirements for carriage of dangerous goods

### 13 Requirements for carriage of dangerous goods including loading, stowage and unloading

The master or owner of a vessel must ensure that the loading, stowage, carriage and unloading of dangerous goods complies with the following requirements:

- (a) Parts A and D of Chapter VII of SOLAS;
- (b) the IMDG Code;
- (c) for INF cargo — the INF Code.

*Note 1* Parts 4 and 7 of the IMDG Code set out requirements for the safe loading, stowage and carriage including segregation of cargo transport units on board vessels. Chapters 4, 6 and 8 of

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the INF Code set out requirements for temperature of cargo spaces, cargo securing arrangements and radiological protection.

*Note 2* Section 114 of the Navigation Act provides an offence if proper precautions are not taken for the carriage of dangerous goods.

*Note 3* There may be additional requirements under the *Protection of the Sea (Prevention of Pollution from Ships) Act 1983*, and *Marine Order 94 (Marine pollution prevention — packaged harmful substances) 2014*, which give effect to the harmful substances aspects of MARPOL.

*Note 4* See MSC.1/Circ.1216 *Revised Recommendations on the Safe Transport of Dangerous Cargoes and Related Activities in Port Areas* for guidance about ascertaining local compliance requirements for the loading and unloading of cargoes in port areas.

**14 Requirements for the packing of dangerous goods**

- (1) If dangerous goods are to be carried on a vessel, a shipper or consolidator must comply with the requirements of the IMDG Code for packing, marking, labelling and placarding.

Penalty: 50 penalty units.

*Note 1* Parts 4, 5 and 7 of the IMDG Code set out requirements for safe packing, marking and labelling including segregation in, and placarding of, cargo transport units.

*Note 2* The *IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units*, published on the UNECE website at <https://www.unece.org>, and the *Recommendations on the Safe Use of Pesticides in Ships*, published in the Supplement to the IMDG Code, also set out appropriate arrangements for safe packing.

*Note 3* Sections 117 and 118 of the Navigation Act also provide offences if any dangerous goods, or the sender of dangerous goods, is falsely described.

- (2) A shipper or consolidator must ensure that the packing of dangerous goods into a cargo transport unit is undertaken or supervised by a person who:

- (a) has knowledge of:
- (i) the requirements of the IMDG Code; and
  - (ii) the latest edition of the *IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units*; and
- (b) is trained in accordance with Chapter 1.3 of the IMDG Code.

Penalty: 50 penalty units.

- (3) An offence against subsection (1) or (2) is a strict liability offence.
- (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2).

Civil penalty: 50 penalty units.

**15 Emergency response information**

- (1) The owner of a vessel carrying dangerous goods in packaged form must ensure that there are on board instructions on emergency response appropriate to incidents involving those goods in accordance with paragraph 5.4.3.2 of the IMDG Code.

Penalty: 50 penalty units.

- (2) The master of a vessel carrying dangerous goods in packaged form must ensure that the instructions mentioned in subsection (1) are available to seafarers on board the vessel.

Penalty: 50 penalty units.

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



- (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2).

Civil penalty: 50 penalty units.

## Division 4 Information and notice requirements

### 16 Shippers to give notice of intention to ship dangerous goods

- (1) Before any dangerous goods are shipped in a vessel, the shipper (also called the *consignor* in the IMDG Code) must give notice in writing to the master of the vessel and AMSA.

*Note* Section 119 of the Navigation Act provides that it is an offence for failure to comply with the requirements for notice of intention to ship dangerous goods.

- (2) However, if dangerous goods other than dangerous goods of Class 7 are shipped in a vessel, the notice to AMSA must only be given if requested.
- (3) If a consolidator is to pack the dangerous goods in a cargo transport unit, the shipper must also give the notice to the consolidator.
- (4) The notice must include:
- a completed Multimodal Dangerous Goods Form or a dangerous goods transport document in accordance with Chapter 5.4 of the IMDG Code; and
  - any exemption given by AMSA under section 6; and
  - any approval given by AMSA under section 7; and
  - for an export shipment of hazardous waste substances — a copy of the waste movement document, relevant to the shipment, in accordance with section 2.0.5 of the IMDG Code.

*Note for paragraph (a)* The *Multimodal Dangerous Goods Form* is available from AMSA's website <http://www.amsa.gov.au>. It should be completed by a person who has received appropriate training in accordance with section 21.

*Note for paragraph (d)* The waste movement document is provided by the Department of the Environment and Energy. Shipments of hazardous waste substances also need to comply with the *Hazardous Waste (Regulation of Exports and Imports) Act 1989*.

- (5) The shipper must ensure:
- the notice is given to the master at least 48 hours before dangerous goods are loaded on the vessel; and
  - a copy of the notice is retained for at least 3 months.

### 17 Notice requirements for consolidators

- (1) If dangerous goods are packed by a consolidator into a cargo transport unit for shipment, the consolidator must give to the master of the vessel and, if requested, to AMSA:
- the notice received by the consolidator in accordance with subsection 16(3); and
  - a completed packing declaration in accordance with section 5.4.2 of the IMDG Code.

Penalty: 50 penalty units.

*Note 1* The packing declaration is called the Container/vehicle Packing Certificate and is set out in the Multimodal Dangerous Goods Form.

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*Note 2* Section 116 of the Navigation Act also provides that it is an offence if a proper description of the dangerous goods is not given to the owner or master before the goods are placed on board the vessel.

- (2) The consolidator must retain a copy of the notice and declaration for at least 3 months.
- (3) An offence against subsection (1) is a strict liability offence.
- (4) A person is liable to a civil penalty if the person contravenes subsection (1).  
Civil penalty: 50 penalty units.

### 18 Special list or manifest for dangerous goods

- (1) The master of a vessel must provide to an AMSA office, at or nearest to the port of loading, a special list or manifest for dangerous goods at least 24 hours before dangerous goods are loaded on the vessel.

Penalty: 50 penalty units.

*Note 1* An example of a special list or manifest format is the *Dangerous Goods Manifest* which is set out in IMO Circular FAL.2/Circ.51/Rev.1 and published in the Appendix to the Supplement to the IMDG Code.

*Note 2* The special list or manifest may be prepared and submitted by a person acting on the master's behalf (eg agent of the vessel), but the master is responsible for ensuring that it is given to AMSA.

- (2) However, a special list or manifest for dangerous goods may be provided at any time in the 24 hour period before the goods are loaded if the following information is provided to an AMSA office, at or nearest the port of loading, at least 24 hours before the goods are loaded:
  - (a) vessel's name;
  - (b) vessel's IMO number;
  - (c) port of loading;
  - (d) proposed date of loading and departure;
  - (e) classes of dangerous goods to be loaded;
  - (f) stowage location of dangerous goods.
- (3) If there is any change to the special list or manifest, provided to AMSA in accordance with this section, the master must notify AMSA in writing of that change.

Penalty: 50 penalty units.

- (4) The master must ensure that a copy of the special list, manifest or information, provided to AMSA in accordance with this section, is retained for at least 3 months.
- (5) An offence against subsection (1) or subsection (3) is a strict liability offence.
- (6) A person is liable to a civil penalty if the person contravenes subsection (1) or subsection (3).

Civil penalty: 50 penalty units.

**19 Transhipment of dangerous goods**

- (1) If dangerous goods in packaged form are to be transhipped from a port in Australia, a person organising the transhipment must give to the master:
- (a) a copy of the Multimodal Dangerous Goods Form or a dangerous goods transport document mentioned in Chapter 5.4 of the IMDG Code covering the previous part of the voyage; and
  - (b) a copy of the Multimodal Dangerous Goods Form or a dangerous goods transport document mentioned Chapter 5.4 of the IMDG Code, containing vessel and voyage information for the intended voyage that is endorsed to the effect that the goods are being transhipped.

Penalty: 50 penalty units.

- (2) If requested by AMSA, a person organising the transhipment must give a copy of the documents mentioned in subsection (1) to AMSA.

Penalty: 50 penalty units.

- (3) The person organising the transhipment must retain a copy of the forms or documents mentioned in subsection (1) for at least 3 months.
- (4) An offence against subsections (1) or (2) is a strict liability offence.
- (5) A person is liable to a civil penalty if the person contravenes subsection (1) or (2).

Civil penalty: 50 penalty units.

**20 Incidents at sea involving dangerous goods in packaged form**

- (1) If an incident takes place involving the loss, or the likely loss, overboard of dangerous goods in packaged form into the sea, the master of the vessel must report the particulars of the incident without delay and to the fullest extent possible to the nearest coastal State.

Penalty: 50 penalty units.

- (2) If a vessel carrying dangerous goods in packaged form is abandoned, or if a report mentioned in subsection (1) is incomplete or unobtainable, the owner or agent of the vessel must make or complete the report of the incident without delay.

Penalty: 50 penalty units.

- (3) An offence against subsection (1) or (2) is a strict liability offence.
- (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2).

Civil penalty: 50 penalty units.

*Note* The Annex of IMO Resolution A.851(20), as amended from time to time, sets out the General Principles for Ship Reporting Systems and Ship Reporting Requirements, including Guidelines for Reporting Incidents involving Dangerous Goods, Harmful Substances and/or Marine Pollutants. The Guidelines provide an internationally agreed format and procedure for reporting.

**Division 5 Training and safe system of work requirements****21 Requirements for training**

- (1) An employer of a person, other than a seafarer, engaged in any activity relating to the handling, packing, stowing and carriage of dangerous goods must ensure

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that the employee is given training, including refresher training, in accordance with Chapter 1.3 of the IMDG Code.

Penalty: 50 penalty units.

*Note* Chapter 1.3 of the IMDG Code requires general awareness or familiarisation training and function-specific training for shore-based personnel.

- (2) The employer of a person mentioned in subsection (1) must also ensure that the following function-specific training is provided as part of the person's training according to her or his responsibilities:
- (a) packing dangerous goods in packages;
  - (b) marking, labelling or placarding dangerous goods;
  - (c) loading or unloading cargo transport units;
  - (d) preparing transport documents for dangerous goods.

*Note* The training providers in Australia that provide training courses recognised by AMSA as accepted training courses are listed on the AMSA website at <http://www.amsa.gov.au>.

- (3) The employer must keep evidence of training that an employee or contractor of the employer receives for subsection (1) for at least 5 years after the training occurred.

Penalty: 50 penalty units.

- (4) An offence against subsection (1) or (3) is a strict liability offence.
- (5) A person is liable to a civil penalty if the person contravenes subsection (1) or (3).

Civil penalty: 50 penalty units.

**22 Audit of training systems**

AMSA may carry out an audit of training systems, in accordance with Chapter 1.3 of the IMDG Code.

**Division 6 Other matters****23 Packagings approvals**

- (1) A shipper must ensure that packagings used for the carriage of dangerous goods on a vessel are constructed, marked, tested and approved in accordance with Part 6 of the IMDG Code.

Penalty: 50 penalty units.

- (2) A shipper must ensure packagings for Type B and Type C radioactive materials used for carriage on a vessel are approved by AMSA.

Penalty: 50 penalty units.

- (3) An offence against subsection (1) or (2) is a strict liability offence.
- (4) A person is liable to a civil penalty if the person contravenes subsection (1) or (2).

Civil penalty: 50 penalty units.

**24 Portable tanks, multiple-element gas containers, road tank vehicles and bulk containers**

- (1) A shipper must ensure that, if a portable tank, multiple-element gas container, road tank vehicle or bulk container is used for the carriage of dangerous goods

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on a vessel, it is constructed, marked, tested and approved in accordance with Part 6 of the IMDG Code.

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.

**25 Class 1 explosives**

- (1) If dangerous goods of Class 1 are to be loaded on a vessel, the shipper must:
  - (a) notify AMSA in writing before dangerous goods of Class 1 are packed into a closed cargo transport unit; and
  - (b) make the unit available for inspection by AMSA on request.

Penalty: 50 penalty units.

*Note* Notification should be made as early as possible to an AMSA office at, or nearest to, the place of inspection.

- (2) If AMSA determines that an inspection of a cargo transport unit to be packed only with dangerous goods of Division 1.4S is unnecessary, the shipper must ensure that the cargo transport unit:
  - (a) is structurally serviceable for dangerous goods of Class 1; and
  - (b) meets the requirements of paragraph 7.3.3.15 of the IMDG Code for a closed cargo transport unit.

Penalty: 50 penalty units.

- (3) A shipper must ensure that dangerous goods of Class 1 are not carried on a tanker without the approval of AMSA.
- (4) AMSA may give an approval mentioned in subsection (3) subject to conditions.
- (5) An offence against subsection (1), (2) or (3) is a strict liability offence.
- (6) A person is liable to a civil penalty if the person contravenes subsection (1), (2) or (3).

Civil penalty: 50 penalty units.

**26 Class 7 radioactive materials**

- (1) The equipment, procedures and methods relating to stowage and securing of dangerous goods of Class 7 in a cargo transport unit must be approved by AMSA.
- (2) A shipper or consolidator must stow and secure dangerous goods of Class 7 in a cargo transport unit in accordance with the approval mentioned in subsection (1).

Penalty: 50 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.
- (4) A person is liable to a civil penalty if the person contravenes subsection (2).

Civil penalty: 50 penalty units.

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### 27 Proper precautions

- (1) This section applies if an inspector believes, on reasonable grounds, that the doing of an activity or the failure to do an activity during the loading or unloading, stowage or carriage of dangerous goods on a vessel, may:
  - (a) damage the vessel; or
  - (b) pose a risk to the safety of persons; or
  - (c) damage the environment.
- (2) The inspector may give a written notice to a person requiring:
  - (a) that the doing of an activity is to cease; or
  - (b) that precautions specified in the notice are to be undertaken.
- (3) A person who is given a notice must ensure that the notice is complied with to the extent that it relates to any matter over which the person has control.

*Note 1* Section 114 of the Navigation Act provides that a person commits an offence if proper precautions are not taken for an activity involving packing, sending, stowing, loading, unloading, securing or carrying cargo on a vessel.

*Note 2* Section 264 of the Navigation Act provides that an inspector may give directions to a person to take steps that are reasonable in the circumstances for compliance with a requirement in the Act or this Order. Section 267 of the Navigation Act also provides that an inspector may give a prohibition notice about an activity involving a serious risk to the health or safety of a person.

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### Note

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>