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Australian Maritime Safety Authority

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Marine Order 503 (Certificates of survey — national law) 2017

I, Gary Prosser, Acting 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 Order under subsection 163(1) of the *Marine Safety (Domestic Commercial Vessel) National Law*.

27 November 2017

Gary Prosser
Acting Chief Executive Officer

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Division 1 Preliminary

1 Name of Order

This Order is *Marine Order 503 (Certificates of survey — national law) 2017*.

1A Commencement

This Order commences on 1 January 2018.

1B Repeal of *Marine Order 503 (Certificates of survey — national law) 2013*

Marine Order 503 (Certificates of survey — national law) 2013 is repealed.

Division 2 Requirements for certificates of survey

2 Application for certificate

- (1) For subsection 37(2) of the national law, an application for a certificate of survey for a domestic commercial vessel must be made in accordance with section 9 of *Marine Order 501 (Administration — national law) 2013*.

Note Giving false or misleading information in an application is an offence — see section 136.1 of the Criminal Code.

- (2) Division 3 (other than section 13) of *Marine Order 501 (Administration — national law) 2013* applies to an application for a certificate of survey.

3 Survey of vessels

- (1) For paragraph 38(1)(b) of the national law:
 - (a) a vessel must be surveyed in accordance with:
 - (i) for a new vessel or a transitional vessel — Section 4 of NSAMS; and
 - (ii) for an existing vessel — Section 4 of NSAMS, Section 14 of the USL Code, or another survey process that applied to the vessel when it was last surveyed before 1 July 2013; and
 - (b) the survey (other than an electrical survey) must be conducted by:
 - (i) the National Regulator; or
 - (ii) an accredited marine surveyor who is accredited to perform the category or categories of survey undertaken; or
 - (iii) a recognised organisation.
- (2) An electrical survey must be conducted by:
 - (a) for electrical survey for plan approval — any of the persons mentioned in paragraph (1)(b); and
 - (b) for electrical survey other than for plan approval — a person who holds an unrestricted electrical licence or an accredited marine surveyor who is accredited to perform electrical surveys.
- (3) A person conducting an electrical survey mentioned in paragraph (2)(b) must give a compliance report to the person conducting the survey of the vessel as soon as practical after the electrical survey is completed unless the person conducted both surveys.

- (4) A person conducting a survey of a vessel, including electrical survey, must conduct the survey in accordance with any document relating to the vessel approved by any of the following unless the National Regulator considers that the survey does not need to be in accordance with that document:
- (a) the National Regulator;
 - (b) an accredited marine surveyor;
 - (c) a recognised organisation;
 - (d) a person the National Regulator is satisfied is competent to assess the documents.

Examples of documents approved

- 1 Vessel plans.
- 2 Stability calculations.

4 Standards for vessel not surveyed by recognised organisation

- (1) This section prescribes standards for a domestic commercial vessel that is not surveyed by a recognised organisation.
- (2) For an existing vessel — the standards are:
 - (a) for construction, subdivision, stability, fire safety, machinery and associated systems:
 - (i) if the vessel was surveyed before 1 July 2013 — the standards that applied to the vessel when it was last surveyed before 1 July 2013; and
 - (ii) if the vessel was not surveyed before 1 July 2013 — the standards that applied to the vessel when design approval was approved; and
 - (b) for safety equipment — the standards that apply to the vessel in accordance with the NSCV; and
 - (c) for equipment other than safety equipment — the equipment standards that applied to the vessel on 30 June 2013.

Note for paragraph (a) Associated systems include fuel, bilge, exhaust and ventilation systems.

Note for paragraph (b) Annex I of NSCV Part C7A applies to existing vessels that are Class 1, 2 or 3. NSCV Part F2 applies to vessels that are Class 4. NSCV Part F1 applies to vessels that are fast craft.

- (3) For a new vessel, the standards for construction, subdivision, stability, fire safety, machinery and associated systems and equipment are:
 - (a) NSCV; and
 - (b) USL Code Section 5, subsection C, clauses C.42 to C.47, C.49 to C.53, C.54.2, C.55 to C.57, C.61.1, C.61.2a, C.61.3, C.61.3a, C.61.4, C.61.5, C.67, C.68, C.69.1 to C.69.6 and C.70 to C.73; and
 - (c) USL Code Section 5, subsection D, clauses D.9 to D.15 and D.18 to D.36; and
 - (d) USL Code Section 7.

Note A vessel is taken to meet the required outcomes specified in the NSCV if the vessel meets the deemed to satisfy solutions.

- (4) However, for a new vessel, the standards (other than the standards for safety equipment) are those standards that applied to the vessel when it was first issued a certificate of survey unless:
 - (a) a change mentioned in Schedule 1 has occurred; or

(b) the vessel has not had a certificate of survey for at least 2 years.

Note For construction, subdivision, stability, fire safety, machinery and associated systems, the standards for a new vessel are those standards that applied to the vessel when it was first issued a certificate of survey unless a circumstance in paragraph (a) or (b) has occurred. For safety equipment, the standards that apply are the standards mentioned in subsection 4(3), as existing from time to time.

- (5) For a transitional vessel — the standards are either:
- (a) the standards mentioned in subsection (3); or
 - (b) the standards mentioned in Schedule 2.

5 Standards for vessel surveyed by recognised organisation

The prescribed standards for a domestic commercial vessel that is surveyed by a recognised organisation are:

- (a) if class rules (however described) are applied by the recognised organisation:
 - (i) for construction, machinery, anchoring equipment and electrical installations — the class rules; and
 - (ii) for other areas of the vessel — the standards mentioned in section 4 that apply as if the vessel were not surveyed by a recognised organisation; and
- (b) if class rules (however described) are not applied by the recognised organisation, the standards mentioned in section 4 that would apply if the vessel were not surveyed by a recognised organisation.

6 Criteria for issue of certificate

- (1) For paragraph 38(1)(c) of the national law, the criteria for issue of a certificate of survey are that:
- (a) if the vessel has in effect an equivalent means of compliance approved under section 13, the National Regulator is satisfied of the matters mentioned in subsection (2); and
 - (b) if the vessel does not have in effect an equivalent means of compliance approved under section 13, the National Regulator is satisfied that the vessel:
 - (i) has been surveyed in accordance with the requirements mentioned in section 3; and
 - (ii) meets the standards mentioned in section 4 and section 5 that apply to the vessel; and
 - (c) the vessel is suitable for its intended use and area of operation; and
 - (d) if *Marine Order 507 (Load line certificates — national law) 2013* applies to the vessel — the vessel has a load line certificate.

Note An application for a certificate must be made in accordance with section 2 and be accompanied by any prescribed fee.

- (2) The National Regulator must be satisfied that:
- (a) the vessel meets the equivalent means of compliance approved under section 13 that is in effect for the vessel; and

- (b) the vessel:
 - (i) has been surveyed in accordance with the requirements mentioned in section 3 to the extent that the equivalent means of compliance does not replace those requirements; and
 - (ii) meets the standards mentioned in section 4 and section 5, that apply to the vessel, to the extent that the equivalent means of compliance does not replace those standards.

Note For the issue of a certificate of survey, if section 3, 4 or 5 is not met, the effect of paragraph (1)(b) and subsection (2) is that a vessel must have an approved equivalent means of compliance — see Division 4 for the requirements concerning application and approval of an equivalent means of compliance.

7 Conditions on certificate

- (1) A certificate of survey is subject to the following conditions:
 - (a) the vessel must be surveyed in accordance with the requirements mentioned in section 3;
 - (b) any defect identified in any survey, including a periodic survey, must be rectified in accordance with any direction by the National Regulator;
 - (c) after any periodic survey of the vessel, the owner must ensure that the National Regulator is provided a report setting out the condition of the vessel and the extent of its compliance with the standards that apply to the vessel;
 - (d) any certificate of currency relating to equipment that is required to be carried on the vessel must be kept current;
 - (e) the maximum number of people permitted at the same time on the vessel, or any part of the vessel, must not be exceeded;
 - (f) the vessel must continue to meet the standards mentioned in section 4 and section 5 that apply to the vessel;
 - (g) the vessel must not be operated if a change mentioned in Schedule 1 has occurred;

Note for paragraph (g) A vessel may only recommence operating if a new certificate of survey is issued by the National Regulator under subsection 38(1) of the national law.

- (h) if the owner of the vessel transfers ownership to another person, the transferor must, within 14 days after the transfer, notify the National Regulator in writing of:
 - (i) the date of transfer; and
 - (ii) the name and address of the transferee;
- (i) the owner of the vessel must notify the National Regulator in writing within 14 days if:
 - (i) the vessel is sunk or scrapped, and the time and location of sinking or scrapping; or
 - (ii) the owner changes address; or
 - (iii) any information in the certificate is no longer accurate.

Note 1 Other conditions may be imposed — see paragraph 38(3)(b) of the national law.

Note 2 It is an offence to breach a condition of a certificate of survey — see sections 45 and 46 of the national law.

- (2) However, if there is in effect an equivalent means of compliance approved under section 13, the vessel must:
- (a) meet the conditions mentioned in subsection (1) other than paragraphs (1)(a) and (f); and
 - (b) meet the equivalent means of compliance and conditions (if any); and
 - (c) be surveyed in accordance with the requirements mentioned in section 3, and continue to meet the standards mentioned in section 4 and section 5 that apply to the vessel, to the extent that the equivalent means of compliance does not replace the survey requirements or standards.

8 Duration of certificate

If a certificate of survey does not specify a date on which it ceases to be in force, the certificate ceases to be in force 5 years after it comes into force.

Division 3 Variation, suspension and revocation of certificates of survey

9 Application for variation, suspension or revocation of certificate

For subsection 39(2) of the national law, an application for variation, suspension or revocation of a certificate of survey must be made by the owner of the vessel in the approved form and be accompanied by any prescribed fee.

10 Criteria for variation of certificate

- (1) For paragraph 40(1)(b) of the national law, the criteria for the National Regulator to vary a certificate of survey on application are that:
 - (a) information in the certificate is no longer accurate; or
 - (b) the vessel has been altered (other than a change mentioned in Schedule 1), damaged or sold.
- (2) For paragraph 40(2)(a) of the national law, the criteria for the National Regulator to vary a certificate of survey on its initiative are that:
 - (a) the National Regulator becomes aware that a vessel to which the certificate applies has been altered (other than a change mentioned in Schedule 1), damaged or sold; or
 - (b) the National Regulator considers that any of the information mentioned in the certificate is no longer accurate.

11 Suspension of certificate

- (1) For paragraph 41(1)(b) of the national law, the criterion for the National Regulator to suspend a certificate of survey on application is that any fees relating to the certificate have been paid.

Note An application by the owner for a suspension of a certificate must be in accordance with section 9.

- (2) For subsection 41(2A) of the national law, the purpose for the suspension of a certificate of survey on the National Regulator's initiative is any of the following:
 - (a) ensuring any unpaid fees relating to the vessel are recovered;
 - (b) ensuring necessary repairs are made to the vessel;

- (c) ensuring the vessel meets the survey requirements or standards that apply to it;
- (d) ensuring that the vessel is not operated in contravention of a detention notice, a direction, an improvement notice or a prohibition notice.

Note The National Regulator must suspend a certificate if satisfied the suspension is necessary for other purposes (eg protecting human life) — see subsection 41(2) of the national law.

- (3) For paragraph 41(3)(b) of the national law, the period of suspension is:
 - (a) for a suspension on application mentioned in subsection 41(1) of the national law — 18 months; and
 - (b) for a suspension on the National Regulator’s initiative mentioned in subsections 41(2) and (2A) of the national law — 6 months.

Note 1 Under paragraph 72(2)(a) of the national law the National Regulator must, before suspending a certificate under subsection 41(2A), give the holder of the certificate a notice inviting the holder to show cause, within a reasonable period specified in the notice, why the certificate should not be suspended.

Note 2 The prescribed period of suspension is the maximum period a suspension may remain in force. The National Regulator may specify in writing an earlier period — see paragraph 41(3)(b) of the national law.

12 Criteria for revocation of certificate

- (1) For paragraph 42(1)(b) of the national law, the criterion for the National Regulator to revoke a certificate of survey on application is that any fees relating to the certificate have been paid.
- (2) For paragraph 42(2)(a) of the national law, the criteria for revocation of a certificate of survey by the National Regulator on its initiative are that:
 - (a) the National Regulator considers it to be necessary in the interest of marine safety or protecting the environment; or
 - (b) the certificate was issued in error; or
 - (c) a change mentioned in Schedule 1 has occurred since the certificate of survey was issued.

Division 4 Equivalent means of compliance

13 Approval of equivalent means of compliance

- (1) The National Regulator may approve an equivalent means of compliance:
 - (a) on application by a person; or
 - (b) on the initiative of the National Regulator.
- (2) The National Regulator may approve an equivalent means of compliance if satisfied that it is at least as effective as the following, or any part of the following, that it replaces:
 - (a) survey requirements mentioned in section 3; or
 - (b) standards mentioned in section 4 and section 5 that apply to the vessel.
- (3) The National Regulator may impose conditions on the approval.
- (4) A decision to refuse to approve an equivalent means of compliance under paragraph (1)(a) is a reviewable decision for sections 16 and 17 of *Marine Order 501 (Administration — national law) 2013*.

14 Application for equivalent means of compliance

- (1) An application for the approval of an equivalent means of compliance mentioned in paragraph 13(1)(a) must be made in accordance with section 9 of *Marine Order 501 (Administration — national law) 2013*.
- (2) The application for an approval of an equivalent means of compliance must include:
 - (a) details of the survey requirements mentioned in section 3, or the standards mentioned in section 4 and section 5 that apply to the vessel, to which the application relates; and
 - (b) a statement explaining how the proposed equivalent means of compliance is at least as effective as compliance with the survey requirements mentioned in section 3, or the standards mentioned in section 4 and section 5 applying to the vessel, that it is to replace; and
 - (c) at least 1 document supporting the statement mentioned in paragraph (b).

Note for paragraph (a) The application should mention the particular requirements relating to the survey process or the standards applying to the vessel that are to be replaced.

Note for paragraph (b) If the application relates to the NSCV, the statement may explain how the equivalent means of compliance meets the required outcomes in the NSCV that apply (if any) to the same level of safety as the deemed to satisfy solution. If the application relates to the USL Code, the statement may explain how the equivalent means of compliance meets each requirement of the USL Code to the same level of safety.

Examples for paragraph (c)

- 1 A report from an accredited marine surveyor.
 - 2 National Association of Testing Authorities, Australia (NATA) testing results.
 - 3 A mill test report.
- (3) Division 3 (other than section 13) of *Marine Order 501 (Administration — national law) 2013* applies to an application for an equivalent means of compliance.

15 Revocation of equivalent means of compliance

- (1) The National Regulator may revoke an equivalent means of compliance approved under section 13.
- (2) A decision to revoke an equivalent means of compliance is a reviewable decision for sections 16 and 17 of *Marine Order 501 (Administration — national law) 2013*.

16 Duration of equivalent means of compliance

An equivalent means of compliance approved under section 13:

- (a) commences on the day it is approved by the National Regulator; and
- (b) remains in effect until the day specified in the approval (if any), unless it is revoked earlier.

Division 5 Definitions and interpretation

17 Definitions and interpretation

(1) In this Order:

accredited marine surveyor means a person who is accredited under section 24 of the *Marine Safety (Domestic Commercial Vessel) National Law Regulation 2013*.

being constructed means:

- (a) a vessel's keel has been laid; or
- (b) construction identifiable with the vessel has begun and at least the lesser of 50 tonnes, or 10% of the estimated mass of all structural material, of the vessel had been assembled.

Class 4 vessel has the meaning given by the dictionary in NSCV Part B.

dangerous goods has the meaning given by NSCV Part C4.

design approval, for an existing vessel, means:

- (a) vessel design, plans or construction drawings approved by a State or Territory; or
- (b) a certificate of compliance for design for a State or Territory agency responsible for marine safety.

fast craft has the meaning given by the dictionary in NSCV Part B.

load line certificate has the meaning given by section 6 of *Marine Order 507 (Load line certificates — national law) 2013*.

recognised organisation has the meaning given by section 14 of the *Navigation Act 2012*.

service category has the meaning given by the dictionary in NSCV Part B.

unrestricted electrical licence means an electrical licence (however described) issued by a State or Territory that permits a person to perform all electrical work including:

- (a) installing or changing overhead electrical line; and
- (b) installing electrical wiring; and
- (c) repairing electrical equipment.

Note 1 For organisations that have been prescribed for the definition of **recognised organisation** — see *Marine Order 1 (Administration) 2013*.

Note 2 Some terms used in this Order are defined in *Marine Order 501 (Administration — national law) 2013*, including:

- approved form
- Load Lines Convention
- national law
- NSAMS
- NSCV
- USL Code.

Note 3 Other terms used in this Order have the same meaning that they have in the national law, including:

- domestic commercial vessel
- foreign vessel.

- (2) Unless the contrary intention appears, mention in this Order of any of the following instruments means the instrument existing from time to time:
- (a) NSAMS;
 - (b) NSCV;
 - (c) USL Code.

Note NSAMS, NSCV and USL Code are available for free on AMSA's website at <http://www.amsa.gov.au>.

18 Existing vessel, transitional vessel and new vessel — meaning

- (1) For this Order, a domestic commercial vessel is an existing vessel if:
- (a) for a vessel that was constructed before 1 July 2013 — it was entitled, or issued with a survey certificate (however described), under an Australian State, Territory or Commonwealth law to operate in connection with a commercial, governmental or research activity for the 2 year period ending on 30 June 2013 and it was not a foreign vessel at any time in that 2 year period; and
 - (b) for a vessel that was being constructed on 30 June 2013 — it has design approval lodged and approved before 1 July 2013 for use in connection with a commercial, governmental or research activity and, if completed after 30 June 2013, it has been used in connection with a commercial, governmental or research activity in the 2 year period after its completion; and
 - (c) for a vessel that had not commenced construction before 1 July 2013 — it was being constructed on 30 June 2016 and has design approval that was lodged before 1 July 2013, and subsequently approved, for use in connection with a commercial, governmental or research activity and, if completed after 30 June 2016, it has been used in connection with a commercial, governmental or research activity in the 2 year period after its completion.
- (2) However, an existing vessel is taken to be a transitional vessel if:
- (a) a change mentioned in Schedule 1 has occurred; or
 - (b) the vessel has had a certificate of survey that ceased to be in force for a period of at least 2 years.

Note for paragraph (a) Changes mentioned in Schedule 1 include changes to the vessel's operations, structure, equipment, systems, fittings, or arrangements. Paragraph 7(1)(g) provides that it is a condition on a certificate of survey that the vessel is not to be operated if a change mentioned in Schedule 1 has occurred.

- (3) For this Order, a domestic commercial vessel is a new vessel if subsections (1) and (2) do not apply to the vessel.

Schedule 1 Vessel changes

(paragraphs 4(4)(a), 12(2)(c) and 18(2)(a))

- 1 There is an upgrade in the service category of the vessel, including the assignment of any additional service category.

Examples

- 1 Class 2 vessel to operate as Class 1 vessel.
 - 2 Class 2C vessel to operate as Class 2B vessel.
 - 3 Class 2D vessel to operate as Class 3B vessel.
 - 4 Class 2D vessel to operate as Class 3D vessel.
- 2 The vessel's operations are relocated to outside the geographical location restrictions that apply to the vessel's certificate of survey or certificate of operation.

Example

A vessel has a certificate of survey or certificate of operation that restricts the vessel to operating in Sydney Harbour, but the vessel has relocated to operate in Spencer Gulf.

Note A vessel previously regulated under the State or Northern Territory law may be subject to geographical location restrictions on any certificate of survey or certificate of operation issued under the national law. Examples of vessels previously regulated under the State or Northern Territory law with specific geographical location restrictions include: WA survey exempt vessels, NSW commercially registered vessels, Qld certificate of registration vessels, SA certificate of inspection vessels.

- 3 The vessel commences the carriage of dangerous goods.
- 4 The vessel commences overnight operations with overnight accommodation provided.
- 5 There is an increase in either:
 - (a) the number of persons on the vessel, or any part of the vessel, that exceed the maximum number permitted; or
 - (b) the number of passengers permitted on the vessel.
- 6 Any of the following changes:
 - (a) installation of berths or extra berths;
 - (b) increase in propulsion power that invalidates the assumptions and calculations used for structural or stability design approval;
 - (c) variation to lightship displacement of at least 4%;
 - (d) variation to lightship LCG by at least 2%;
 - (e) increase in windage profile of the vessel;
 - (f) removing, repositioning, installing or modifying of:
 - (i) any portion of ballast; or
 - (ii) lifting equipment; or
 - (iii) net reels; or
 - (iv) cranes; or
 - (v) trawl apparatus; or
 - (vi) refrigeration equipment; or
 - (vii) any kind of tank including for fish, fuel or water; or

- (viii) towing points.
- 7 There is a change to the vessel's structure or watertight integrity including any of the following:
- (a) hull alteration;
 - (b) change to vessel dimensions;
 - (c) alteration of the passageways or means of access to the vessel or its spaces;
 - (d) fitting of, or alteration to, a deck or watertight bulkhead.
- 8 Other than a like for like replacement of equipment or fittings, there is a change to any of the following for the vessel:
- (a) fixed fire system;
 - (b) stern gear;
 - (c) gas system;
 - (d) electrical power and generators.

Schedule 2 Standards for transitional vessels

(paragraph 4(5)(b))

1 Standards for transitional vessels other than Class 4 vessels and fast craft

For paragraph 4(5)(b), the standards for a vessel (other than a Class 4 vessel or fast craft) are:

- (a) for a vessel affected by any change mentioned in clause 1, 2, 3, 4, 5 or 6 of Schedule 1 — the standards mentioned in table 1; and
- (b) for a vessel affected by any change mentioned in clause 7 or 8 of Schedule 1 — the standards mentioned in:
 - (i) subsection 4(3) for the area of the vessel affected by the change and the area of the vessel affected by any previous change mentioned in clause 7 or 8 of Schedule 1; and
 - (ii) table 1 for the other areas of the vessel not affected by the change, or any previous change, mentioned in clause 7 or 8 of Schedule 1; and
- (c) for a vessel that has not had a certificate of survey in force for a period of at least 2 years — the standards mentioned in table 1.

2 Standards for transitional vessel that are Class 4 vessels

For paragraph 4(5)(b), the standards for a transitional vessel that are Class 4 vessel are the standards mentioned in NSCV Part F2.

3 Standards for transitional vessels that are fast craft

For paragraph 4(5)(b), the standards for a transitional vessel that are fast craft are:

- (a) for safety equipment, communications equipment and navigation equipment — the standards mentioned in NSCV Part F1; and
- (b) for other areas of the vessel — the standards mentioned in table 1.

Table 1 Standards applying to transitional vessels

Area of vessel	Standards
Arrangement, accommodation and personal safety	<ul style="list-style-type: none"> (a) if a change mentioned in clause 1, 5 or 7 of Schedule 1 has occurred — the following: <ul style="list-style-type: none"> (i) Chapters 1, 3 and 6 of NSCV Part C1; (ii) the USL Code 2008, Section 5 Sub-Section E (other than clauses E.8 to E.11) ; (iii) the USL Code 2008, Section 6; (iv) for accommodation ladders, gangways and safe means of access — the USL Code 2008, Section 13, Part 3 and Appendix F of Part 4; and (b) NSCV Part C1 if the change results in:

Area of vessel	Standards
	<ul style="list-style-type: none"> (i) new or additional berths installed; or (ii) new types of overnight operations commencing; or (iii) Class 1 operations commencing; or (iv) pilot operations commencing; and <p>(c) in any other case — the following:</p> <ul style="list-style-type: none"> (i) Chapters 1 and 3 of NSCV Part C1; (ii) the USL Code 2008, Section 5 Sub-Section E (other than clauses E.8 to E.11); (iii) the USL Code 2008, Section 6; (iv) for accommodation ladders, gangways and safe means of access — the USL Code 2008, Section 13, Part 3 and Appendix F of Part 4 <p><i>Note for subparagraphs (a)(iv) and (c)(iv)</i> For Appendix F of Part 4 — Marine Order 12 has replaced Marine Orders Part 23.</p>
Watertight and weathertight integrity	<ul style="list-style-type: none"> (a) USL Code 1993 or USL Code 2008, Section 5, Sub-Section C, clauses C.42 to C.47, C.49 to C.53, C.54.2, C.55 to C.57, C61.1, C.61.2a, C.61.3, C.61.3a, C.61.4, C.61.5, C.67, C.68, C.69.1 to C.61.6, and C.70 to C.73; and (b) USL Code 1989 or USL Code 2008, Section 5, Sub-section D, clauses D.9 to D.15 and D.18 to D.36; and (c) USL Code 1989 or USL Code 2008, Section 7
Construction	<ul style="list-style-type: none"> (a) USL Code 1993, USL Code 2008 Section 5, Sub-Sections G to M if: <ul style="list-style-type: none"> (i) the assumptions or calculations used for the structural design approval have not been invalidated by any increase in displacement, speed or service category; and (ii) the documentation evidencing the design approval mentioned in subparagraph (i) is available for verification; and (b) in any other case — NSCV Part C3
Fire safety	<ul style="list-style-type: none"> (a) if the change results in an increase in passengers permitted on the vessel — NSCV Part C4; and (b) if the change (other than a change mentioned in paragraph (a)) results in the vessel's fire risk category, determined in accordance with clause 3.1 of NSCV Part C4, remaining unchanged or decreasing — the following: <ul style="list-style-type: none"> (i) USL Code 1989 or USL Code 2008, Section 5, Sub-Section F and Section 11; (ii) installation of a fixed fire detection and

Area of vessel	Standards
	<p>extinguishing system as required by NSCV Part C4; and</p> <p>(c) if the change results in the vessel's fire risk category, determined in accordance with clause 3.1 of NSCV Part C4, increasing — NSCV Part C4; and</p> <p>(d) if dangerous goods are to be carried —NSCV Part C4 to the extent that it has requirements for the carriage of, and containment spaces for, dangerous goods</p> <p><i>Note for paragraphs (a) and (b)</i> To determine if a vessel's fire risk category has decreased, remains unchanged or increased, the vessel's fire risk category based on the nature of its operations before and after any change (see Table 2 of clause 3.1 of NSCV Part C4) must be established.</p>
Machinery	<p>(a) the standard mentioned in the vessel's design approval if:</p> <p>(i) the change does not invalidate the assumptions and calculations used for the design approval; and</p> <p>(ii) the documentation evidencing the design approval is available for verification; and</p> <p>(b) in any other case — NSCV Part C5A or USL Code, Section 9</p>
Electrical	<p>(a) USL Code 1993, Section 9, Part 4; and</p> <p>(b) residual current devices are to be fitted in accordance with AS/NZS 3000 <i>Electrical installations</i>, existing from time to time</p>
LPG appliances	NSCV Part C5C
LPG engines	NSCV Part C5D
Intact stability	<p>(a) for new or additional operations for the vessel — NSCV Part C6; and</p> <p>(b) in any other case — USL Code 2008, Section 8, Sub-Section A, USL Code 1993, Sub-Sections B and C; and</p> <p>(c) the person weight used for calculations under paragraph (b) must be in accordance with NSCV Part C6</p>
Subdivision and damage stability	USL Code 2008, Section 5, Sub-Sections C and D
Safety equipment	NSCV Part C7A (other than Annex I)
Communication equipment	NSCV Part C7B

Area of vessel	Standards
Navigation equipment	NSCV Part C7C
Anchoring system	(a) if the vessel's windage profile has changed — NSCV Part C7D; and (b) in any other case — USL Code 1993, Section 13, Appendix H

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>.