FACT SHEET



SAILING CLUBS UNDERTAKING DOMESTIC COMMERCIAL VESSEL OPERATIONS

Domestic Commercial Vessels

This fact sheet assists sailing organisations and their members understand whether the National Law for domestic commercial vessels applies to them and if so, what steps they need to take.

Is your sailing club operating a domestic commercial vessel?

Use the flow chart over the page to help you understand whether your vessel's operations are commercial and subject to National System requirements, and what requirements you need to meet.

Next steps

Currently state and territory marine safety agencies are responsible for face-to-face delivery of National System services. Contact your local marine safety agency to lodge applications and make payments relating to your requirements under the National Law.

Marine safety agencies

Roads and Maritime Services (NSW) rms.nsw.gov.au

Maritime Safety Queensland msq.qld.gov.au

Transport Safety Victoria transportsafety.vic.gov.au

Marine and Safety Tasmania mast.tas.gov.au

Department of Planning, Transport and Infrastructure (SA) sa.gov.au

Department of Transport (WA) transport.wa.gov.au

Department of Infrastructure, Planning and Logistics (NT) nt.gov.au

Australian Maritime Safety Authority (ACT) amsa.gov.au

Exemptions and equivalent means of compliance

A number of general exemptions apply to National Law requirements. Some of these exemptions are subject to conditions and some are by application only (see over).

Even if your vessel is eligible for an exemption, it must still meet the requirements of the general safety duties. Read more in the *General safety duties* fact sheet and the *Safety management systems* fact sheet.

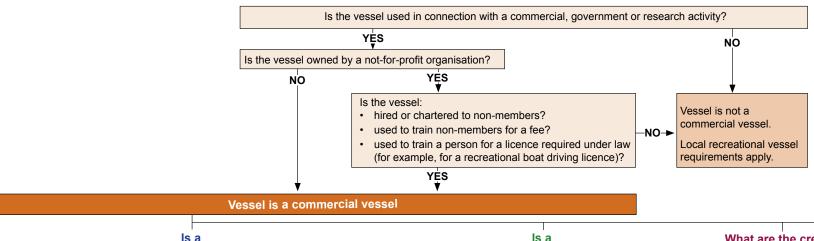
AMSA has granted an Equivalent Means of Compliance for some National Law requirements to organisations operating under — and in compliance with — the Discovery Sailing or RYA Training frameworks.

More information

- Visit amsa.gov.au/domestic
- Call AMSA Connect 02 6279 5000
- Read the Sailing clubs delivering recreational sail training and related commercial activities
 Guidance Notice (AMSA 662), which provides more detailed information on the National Law regulatory requirements likely to apply to sailing clubs.
- · Read the General safety duties fact sheet
- · Read the Safety management system fact sheet.

For the latest news about domestic commercial vessels, subscribe to *Domestic Vessels e-News* and *Working Boats magazine* at amsa.gov.au/domestic

IS YOUR SAILING CLUB OPERATING A COMMERCIAL VESSEL?



Certificate of Survey (CoS) required?

Is the vessel:

- less than 7.5m, operated in sheltered waters only, carrying no passengers, or up to 4 day passengers and not high risk, or
- · a human powered vessel, or
- · a tender, or
- a sailing vessel less than 7.5m with no auxiliary engine or an auxiliary engine of 3.5kW or less, or
- · a personal watercraft, or
- used to train for recreational boating qualifications, less than 24m and operated in inshore waters only?

YES NO

Vessel is exempt from survey and must obtain approval under Exemption 02. Design, construction and equipment requirements apply. Complete AMSA form 579.

Note

- approval is not required for human powered and small sailing craft (less than 7.5m, with no auxiliary engine or an auxiliary engine under 3.5kW).
- existing vessels (those in operation in the two years prior to 1 July 2013) can continue to comply with the 30 June 2013 requirements for design, construction, equipment and survey. Approval is not required.

Vessel must obtain a Certificate of Survey under Marine Order 503. Complete AMSA form 521

Certificate of Operation (CoO) required?

Is the vessel:

- involved in sporting and recreational activities, affiliated with Australian Sailing and operated in inshore waters only, or
- · a tender, or
- less than 7.5m, operated in sheltered waters only, carrying no passengers and not high risk, or
- · a human powered vessel, or
- · a personal watercraft
- a sailing vessel less than 7.5m with no auxiliary engine or an auxiliary engine of 3.5kW or less, or
- used to train for recreational boating qualifications, less than 7.5m and operated in inshore waters only?

YĖS

Vessel is exempt from the requirements to hold a CoO

Note: operational safety requirements under NSCV Part E still apply. AMSA recognises the Discover Sailing and Royal Yachting Association training frameworks as meeting these requirements.

NO Vessel and its

operations must be covered by a CoO. Complete AMSA form 504.

What are the crewing requirements?

You may meet either:

- the Discover Sailing and Royal Yachting Association training frameworks, or
- · Exemption 18, or
- · Exemption 33. or
- Exemption 38, or
- NSCV Part E.

Note:

- Exemption 18 and 33 allow for sailing vessels to be operated by persons holding certain RYA qualifications
- Exemption 38 makes allowances for specific low risk operations
- Crewing requirements do not apply to hire-and-drive vessels.

How do I obtain a unique identifier?

You must obtain and display a unique identifier on your vessel in accordance with Marine Order 502, complete AMSA form 568

If the display requirements of Marine Order 502 are impractical for your vessel, alternative display requirements may be approved.

Disclaimer

The information in this diagram is general information only. Contact your local marine safety agency to find out if other requirements apply to you.

Discialiner