



## **MARINE INFORMATION BULLETIN**

### **AN EXEMPTION TO ALLOW THE APPLICATION OF THE NATIONAL STANDARD FOR COMMERCIAL VESSELS PART C SUBSECTION 7A SAFETY EQUIPMENT**

#### **BACKGROUND**

- On the 24 April 2008 Notifications of Exemption were gazetted under the *Transport Operations (Marine Safety) Act 1994* to enable commercial and fishing ship operators to elect to comply with the safety equipment requirements of the *National Standard for Commercial Vessels part C subsection 7A Safety equipment (NSCV C 7A)* instead of the current *Transport Operations (Marine Safety) Regulation 2004* (the Regulation) requirements.

#### **SUMMARY**

- Commercial and fishing ship operators in Queensland may equip their vessels with safety equipment according to the requirements of **NSCV C 7A Safety equipment** provided the ships comply with the conditions of exemption and the appropriate clauses listed in the schedule to the exemption.
- Full compliance with NSVC C 7A is necessary or the exemption does not operate and the ship must comply with the requirements of the Regulation and the USL Code.
- Equivalent solutions as mentioned in NSCV C 7A 4.13 are not a current option for ships operating in Queensland.

#### **GUIDANCE**

- **NSCV C 7A Safety equipment** is available for free download from the NMSC website at [www.nmsc.gov.au](http://www.nmsc.gov.au).
- You can download a list of the safety equipment required for your vessel's size and class under **NSCV C 7A Safety equipment** at Maritime Safety Queensland's website at [www.msq.qld.gov.au](http://www.msq.qld.gov.au).

## THE EXEMPTIONS

- The exemptions provide that a:
  - commercial ship to which part 2 division 3 (Other safety equipment for commercial ships) of the Regulation applies be exempt from sections 13, 18 and 19, of the regulation in relation to lifesaving appliances subject to conditions; and
  - fishing ship to which part 2 division 4 (Other safety equipment for fishing ships) of the Regulation applies be exempt from sections 23, 24, 25 and 26 of the regulation in relation to lifesaving appliances, subject to conditions:
- The conditions to the exemptions are that:
  - a registered commercial ship or fishing ship, or a registrable commercial ship or fishing ship which has not been registered, shall comply with the clauses of the NSCV C 7A Safety equipment in the schedule to the exemption appropriate to the class of ship;
  - a commercial ship or fishing ship not required to be registered shall comply with the clauses in the schedule to the exemption appropriate to the class in which a registrable commercial ship or fishing ship operating in the same operational area would be registered;
  - a reference in the regulation or the Uniform Shipping Laws code (the USL code) to the class of a ship is taken to be a reference to the service category of a ship under the NSCV;
  - a reference in a clause listed in the schedule to the exemption to a coastal lifejacket complying with Annex G may also be taken as a reference to a coastal lifejacket complying with the USL Code, Section 10, Appendix R;
  - a reference in a clause listed in the schedule to the exemption to internal buoyancy in accordance with NSCV Part C Section 6 may also be taken to be a reference to internal buoyancy in accordance with USL code Section 10 Appendix N;
  - a reference in a clause listed in the schedule to the exemption to "100 % complement" is to be taken as a reference to the number of persons on board the ship; and
  - despite the clauses in the schedule to the exemption, a ship operating in smooth waters, or in partially smooth waters, or within 2 nautical miles from land, need not be equipped with an EPIRB.
- The schedule to the exemption includes the following clauses of the National Standard for Commercial Vessels, Part C, Subsection 7A Safety Equipment:
  - Chapter 2 (Safety Equipment Design and Construction)
    - 2.11 to 2.12 including Table 1 (Construction, production and performance requirements for safety equipment) and the annexes and standards

mentioned in Table 1;

- Chapter 3 (Installation of Safety Equipment)  
3.10 to 3.17 including the marine orders, standards, annexes, and subsections of the NSCV mentioned in clauses 3.10 to 3.17;
- Chapter 4 (Type and Quantity of Safety Equipment)  
4.12 and 4.14 including the marine orders and Tables 2, 3 and 4 (Scales of safety equipment for class 1, class 2 and class 3 vessels) mentioned in clause 4.12, and the annexes and the sections of the NSCV mentioned in Tables 2, 3 and 4; and
- Chapter 5 (Servicing of Safety Equipment)  
5.8 to 5.15.

## Contact information

If you require further information about this Marine Information Bulletin, please contact: 07 3120 7341 or [msgmail@msg.qld.gov.au](mailto:msgmail@msg.qld.gov.au).

Other Marine Information Bulletins covering various topics relating to the safe operation of ships may be obtained from Maritime Safety Queensland's website at [www.msg.qld.gov.au](http://www.msg.qld.gov.au) and from the following Marine Operations Centres.

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