

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

As in force at 1 October 1985

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 October 1985

MARINE (SURVEY) REGULATIONS

Regulations under the *Marine Act*

Part I Introductory

1 Citation

These Regulations may be cited as the *Marine (Survey) Regulations*.

2 Commencement

These Regulations shall come into operation on a date to be fixed by the Minister by notice in the *Gazette*.

3 Interpretation

In these Regulations, unless the contrary intention appears:

Code means the Uniform Code and includes appendices thereto.

existing fishing vessel includes a fishing vessel, the keel of which was laid or which was at an equivalent stage of construction immediately prior to the commencement of Part IV, Division 2 of the Act.

section, clause and **subclause** mean section, clause and subclause of the Code.

vessel means a vessel other than a vessel that is:

- (a) an air-cushioned vehicle;
- (b) a pleasure craft;
- (c) a commercial vessel that is proceeding on an interstate or overseas voyage;
- (d) a fishing vessel that is proceeding on an overseas voyage;

- (e) an existing fishing vessel that is less than 15 metres in length;
- (f) a fishing vessel, other than an existing fishing vessel, that is less than 8 metres in length;
- (g) an off-shore industry mobile unit; or
- (h) an off-shore industry vessel in respect of which a declaration under section 8A(5) of the Navigation Act is in force.

Part II General requirements for survey and certificates of survey

4 Application of Code to vessels

Subject to these Regulations, section 14 shall extend and apply to:

- (a) all vessels; and
- (b) existing fishing vessels less than 15 metres in length in respect of which an application for survey has been made to the Director.

5 Construction of Code

In construing section 14:

- (a) the definitions contained in section 1 and that section shall be read subject to the Act and these Regulations;
- (b) clause 2 shall be read as if:
 - (i) the words ***to which the Act applies*** were substituted for ***under the jurisdiction of an Authority***; and
 - (ii) the words ***these Regulations*** were substituted for ***that Authority***.
- (c) references, other than in clause 2 to, ***an Authority***, ***the Authority*** or ***that Authority*** shall, in relation to the Territory, be read in the manner set out in Part I of Schedule 1;
- (d) ***authorized society*** means a classification society appointed as a surveyor;
- (e) ***prescribed*** means prescribed in these Regulations.

6 Forms

The prescribed forms referred to in subclause 3.6 of section 14 are those set out in Schedule 2.

7 Fees

Fees for the survey of a vessel or for the issue, extension or renewal of a certificate of survey shall be as from time to time determined by the Minister by notice in the *Gazette*.

Part III Specific requirements and standards for survey**8 Application and adoption of requirements of Code**

- (1) Sections 5 and 8 to 13 inclusive shall extend and apply to all vessels so far as those sections relate to:
- (a) standards of construction;
 - (b) requirements for stability;
 - (c) requirements for machinery, electrical, gas, cargo, refrigeration installations and protection of personnel;
 - (d) requirements for life-saving appliances;
 - (e) requirements for fire prevention and detection and for fire fighting equipment and installations;
 - (f) requirements for radiotelegraphy and radio-telephony equipment and installations;
 - (g) requirements for passenger accommodation; and
 - (h) requirements for the miscellaneous equipment necessary for the safety of navigation or for the safety of persons on board.
- (2) Subregulation (1) applies to existing fishing vessels less than 15 metres in length in respect of which an application for survey has been made to the Director.

9 Construction of requirements in Code

In construing sections 5 and 8 to 13 inclusive:

- (a) the definitions contained in section 1 and those sections shall be read subject to the Act and these Regulations; and

- (b) references to ***an Authority the Authority*** or ***that Authority*** shall be read in the manner set out in Part II of Schedule 1.

10 Classification societies

For the purposes of section 76 of the Act, the associations or corporations specified in Schedule 3 are prescribed for the survey of vessels.

Schedule 1

regulation 5(c) and 9(b)

**PART I – CONSTRUCTION OF "AN AUTHORITY", "THE AUTHORITY" AND
"THAT AUTHORITY". APPEARING IN SECTION 14.**

Clause	Words	Construction
3.1	"the Authority" (twice appearing)	"the Minister"
3.6	"the Authority"	"the Director"
4	"the Authority" (first occurring)	"the Territory"
	"the Authority" (second occurring)	"the Minister"
	"that Authority"	"the Territory"
5	"the Authority" (first occurring)	"the Director"
	"the Authority" (second occurring)	"the regulations"
6.4	"the Authority"	"the Director"
6.5	"the Authority"	"the Director"
6.6	"the Authority"	"the Director"
	"the Authority's"	"the Director's"
6.7	"the Authority"	"the Director"
6.8	"the Authority"	"the Director"
7	"the Authority's"	"the Territory's"
	"the Authority" (first occurring)	"the Director"
	"the Authority" (second occurring)	"the Regulations"
7.1	"the Authority"	"the Director"
8	"the Authority" (twice occurring)	"the Director"
9.2(b)	"the Authority"	"the Director"

Clause	Words	Construction
10	"the Authority"	"the Director"
10.2	"the Authority"	"the Director"
11	"the Authority"	"the Director"
12	"the Authority" (first occurring)	"the Regulations"
	"the Authority" (second occurring)	"the Director"
15	"the Authority's"	"the Territory's"
16	"the Authority"	"the Regulations"
17	"the Authority"	"the Regulations"
18	"the Authority's"	"the Director's"
	"the Authority"	"the Director"
21	"the Authority"	"the Director"
22	"the Authority" (first occurring)	"the Director"
	"the Authority" (second occurring)	"the Regulations"
	"the Authority" (third and fourth occurring)	"the Director"
23	"the Authority" (first occurring)	"the Director"
	"the Authority" (second occurring)	"the Regulations"
26	"an Authority"	"the Territory"
	"that Authority"	"the Regulations"
26.1	"the Authority"	"the Director"
26.4	"the Authority"	"the Director"
27	"the Authority"	"the Director"
27.2	"the Authority"	"the Regulations"

28	"the Authority"	"the Director"
29	"the Authority"	"the Director"
30	"the Authority" (twice occurring)	"the Director"
31	"the Authority"	"the Director"
32.1	"an Authority"	"the Territory"
	"an Authority"	"the Director"
32.2	"an Authority"	"the Minister"
33.1	"the Authority"	"the Director"
	"that Authority"	"the Director"
33.2	"the Authority"	"the Director"
33.3	"the Authority"	"the Director"
34	"the Authority" (twice occurring)	"the Director"
	"that Authority"	"the Director"
35	"the Authority"	"the Director"
36	"the Authority"	"the Territory"
	"that Authority"	"the Director"
37	"An Authority"	"The Director"
41	"The Authority"	"The Director"
	"the Authority" (first occurring)	"the Director"
	"the Authority" (second occurring)	"the Regulations"
42	"the Authority" (first occurring)	"the Director"
	"the Authority" (second occurring)	"the Regulations"
43.6	the Authority"	"the Director"
44	"the Authority"	"the Director"
44.5	"the Authority"	"the Director"

Clause	Words	Construction
Appendix II		
Item 36	"the Authority"	"the Director"
Item 59	"the Authority"	"the Director"

PART II – CONSTRUCTION OF WORDS "AN AUTHORITY" AND "THE AUTHORITY" APPEARING IN SECTION 5 AND SECTIONS 8 TO 13 INCLUSIVE.

Section and Clause	Words	Construction
section 5A.1	"an Authority"	"the Territory"
section 5A.3	"an Authority"	"the Director"
section 5A.5	"an Authority"	"the Territory"
Section and Clause	Words	Construction
section 5B.1.3	"the Authority"	"the Director"
section 5B.1.4	"the Authority"	"the Director"
section 5C, Appendices one and two to that section, sections 5D, 5E, (Parts II and III) 5F and 5G	"the Authority" (wherever occurring)	"the Director"
section 5G.2, and 14	"the Authority"	"the Director"
section 5H.1.3	"an Authority"	"the Territory"
section 5H.2.3, 4.15, 4.17.2 v	"the Authority"	"the Director"
section 5I.6	"an Authority"	"the Director"
section 5J	"an Authority"	"the Territory"

Section and Clause	Words	Construction
section 5J.3.1, 3.2, 4.1, 4.2, 5.1, 5.2.9, 5.3.5, 5.5.1, 7.1(f), 7.4.5, 8.2.2(d), 8.3.3, 8.7.5, 8.8.4, 8.11.1, 8.11.2, 9.6.4, 9.6.5, 9.6.10, 10.1, 10.2, 10.3.2, 11.1(h), 11.3(d), 13.1.2, and 14	"the Authority"	"the Director"
section 5K.1.3	"an Authority"	"the Territory"
section 5K.1.5(a)	"the Authority"	"the Director"
section 5K.1.5 (c), 1.6(d)	"the Authority"	"the Territory"
section 5K.1.7, 4.5, 7.1, 7.7.1, 7.8.3 and 18.11	"the Authority"	"the Director"
sections 5L and 5M and Tables	"the Authority" (wherever occurring)	"the Director"
section 8A.2	"an Authority"	"the Territory"
	"the Authority" (twice occurring)	"the Director"
section 8A: 4.1.4, 4.1.10(10), 4.1.11(5), 4.1.17(i) and 4.1.19(d)	"the Authority"	"the Director"
Appendices A and B to section 8A, sections 8B, 8C and 9	"the Authority" (wherever occurring)	"the Director"
section 10.5.1	"the Authority concerned"	"the Director"
section 8.2, 10.1 and 10.6	"the Authority"	"the Director"
Tables and Appendices to section 10	"the Authority" (wherever occurring)	"the Director"
section 11 Part 2 (Scales of equipment)	"the Authority" (wherever occurring)	"the Director"

Section and Clause	Words	Construction
section 11 Part 3 Appendices A and G	"the Authority" (wherever occurring)	"the Director"
section 12.3	"each Authority"	"the Territory"
	"the Authority"	"the Minister"
Section 12.10.1	"the Authority"	"the Minister"
section 12.12.3	"the Authority"	"the Director"
section 12.1.3.1, 13.2, 16.2, 17.1 and 17.2	"the Authority"	"the Director"
Appendices A, B and Z to section 12	"the Authority" (wherever occurring)	"the Director"
section 13.5.6	"the Authority"	"the Director"
Appendices B, C, D and F to section 13	"the Authority" (wherever occurring)	"the Director"
Appendix H to section 13	"an Authority"	"the Director"
– paragraph 1.4.1	"the Authority"	"the Director"
– paragraph 1.4.2	"an Authority"	"the Director"
Section and Clause	Words	Construction
– paragraph 2.3	"Authorities"	"the Director"
– paragraphs 4.2 and 4.4	"the Authority"	"the Director"
– Notes to Table 1	"the Authority" (twice occurring)	"the Director"
Appendices J, K and L to section 13	"the Authority" (wherever occurring)	"the Director"
Appendix M to section 13	"the Authority"	"the Director"
– paragraph 1	"the Authority"	"the Director"
– paragraph 3	"the Authority"	"a shipping officer"

Section and Clause	Words	Construction
– paragraphs 5 and 6	"a Superintendent/ Authority"	"a shipping officer"
Appendix N to section 13		
– paragraphs 1 and 4	"the Authority"	"the Director"
– paragraph 6	"the Superintendent/ Authority"	"the shipping officer"

Schedule 2

FORM S. 1

NORTHERN TERRITORY OF AUSTRALIA

regulation 6

MARINE (SURVEY) REGULATIONS

APPLICATION FOR SURVEY

TO: The Director of Transport
Department of Transport and Works
Darwin

Particulars of vessel

Name of vessel

Port of registry

Registry/Official* No.

Name and address of owner(s)/agent*

.....

Measured length

Construction of vessel

Type of vessel

Area of operation

.....

.....

Number of crew (including Master)

Number of passengers (berthed) (unberthed)

Classification society

Date of build/...../.....

Last certificate of survey: Issuing authority

Number Date of Expiry

Nature of survey required

Date, time and place where vessel will be available for survey
...../...../.....

Signature of owner/agent*

* Delete if inapplicable.

OFFICIAL USE ONLY

Date application received/...../..... Fee Receipt No.

FORM S. 2

regulation 6

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

REPORT BY SURVEYOR ON COMPLETION OF SURVEY OR INSPECTION

Particulars of vessel

Name of vessel

Port of registry

Registry/Official* No.

Name and address of owner(s)/agent*

.....

Number of crew (including Master)

Number of passengers (berthed) (unberthed)

I, a survey appointed under the *Marine Act* hereby:

- (a) report that the follow survey sections,, in respect of the above-named vessel have been completed;
- (b) declare that to the best of my knowledge and belief, the vessel complies with the relevant requirements of the *Marine Act*; and
- (c) declare that in my opinion, having regard to the safety equipment, hull, load line, machinery and radio, so far as surveyed, the vessel is fit to carry the persons detailed above and to ply on the following

voyages until

Signed

Date/...../.....

Port

* Delete if inapplicable.

FORM S. 3

regulation 6

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

CERTIFICATE OF SURVEY

Certificate No.....

Particulars of Vessel

Name of vessel

Port of registry

Registry/Official* No.

Name and address of owner(s)/agent

.....

Measured length metres Type of vessel

Construction of vessel

Limits of operation Class

Persons on board

Crew (including Master) Passengers (berthed)

Passengers (unberthed) Total

This is to certify that the sections of the *Marine Act* with respect to the survey of the vessel described above, have been complied with.

This Certificate is valid until/...../..... subject to:

- (a) compliance with the following conditions
-
- (b) surveys being carried out in accordance with the approved survey programme.

.....
(Director)

...../...../.....
(Date)

EXTENSION OF VALIDITY OF CERTIFICATE:

I hereby grant an extension of validity of this certificate until/...../.....

.....
(Director)

...../...../.....
(Date)

FORM S. 4

regulation 6

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

SURVEYOR'S LIST OF REPAIRS AND DEFICIENCIES

To of
(Name) (Address)

.....
With reference to the survey of the hull, machinery, load line, safety
equipment, and radio carried out in respect of on/.../....
(Name of vessel) (Date)

the following matters require attention:

Received by who is
(Name) (Position)

of
(Name of vessel)

..... /...../.....
(Signature of Recipient) (Signature of Surveyor) (Date)

FORM S. 5

regulation 6

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

REPORT OF ACCIDENT OR OTHER OCCURRENCE

TO: The Director of Transport
Department of Transport and Works
Darwin

PARTICULARS OF VESSEL

Name of vessel
Port of registry
Registry/Official*No.
Name and address of owner(s)/agent*
Measured length metres Type of vessel
Construction of vessel
If vessel classed, name of society
Time and date of occurrence on / /
Place of occurrence
Number of persons on board Crew (including Master)
Passengers on a voyage from to
Master's name and address

NATURE AND PARTICULARS OF ACCIDENT OR OTHER OCCURRENCE

(Signature of Owner/Master)*

(Date)

* Delete if inapplicable.

FORM S. 6

regulation 6

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

APPLICATION FOR TOWAGE PERMIT

TO: The Director of Transport
Department of Transport and Works
Darwin

Particulars of vessel to be towed

Name of vessel

Port of registry

Registry/Official* No.

Name and address of owner(s)/agent*

.....

Details of certificates in force

.....

Date, time and place where vessel will be available for inspection .../.../.....

.....

Date vessel last slipped/...../.....

Particulars of towing vessel

Name of vessel

Port of registry

Registry/Official* No.

Name and address of owner(s)/agent*

.....

Details of certificates in force

Propulsion power or bollard pull

Details of tow

Date of departure .../.../... Time of departure ...am/pm*

Place of departure Destination

Manning

.....
(Owner/Master*)

...../...../.....
(Date)

* Delete if inapplicable.

OFFICIAL USE ONLY

Date application received/...../..... Fee

Receipt No.

FORM S. 7

regulation 6

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SURVEY) REGULATIONS

TOWAGE PERMIT

Name of vessel

Port of registry

Registry/Official* No.

Name and address of owner(s)/agent

.....

This is to certify that the above vessel is permitted to be towed on a sea-going voyage from to by the vessel departing on or about/...../..... subject to the following conditions:

.....

.....

.....

.....
(Director)

...../...../.....
(Date)

Schedule 3 Classification Societies

section 76

regulation 10

Column 1	Column 2
Classification society	Head office in Australia
Lloyds Register of Shipping	6th Floor, National Mutual Centre, 44 Market Street, Sydney N.S.W. 2000
American Bureau of Shipping	Suite 601, IBM Centre, Sydney N.S.W. 2000
Bureau Veritas	69 Macquarie Street, Sydney N.S.W. 2000
Det Norske Veritas	8th Floor, 77 Pacific Highway, North Sydney N.S.W. 2060
Nippon Kaiji Kyokai Suite	5506, M.L.C. Centre, 12-19 Martin Place, Sydney N.S.W. 2000

ENDNOTES
1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION***Marine (Survey) Regulations (SL No. 20, 1982)***

Notified	12 March 1982
Commenced	31 March 1982 (<i>Gaz G12</i> , 26 March 1982, p 4)

Amendments of the Marine (Survey) Regulations (SL No. 28, 1984)

Notified	16 May 1984
Commenced	16 May 1984

Statute Law Revision Act 1985 (Act No. 49, 1985)

Assent date	1 October 1985
Commenced	1 October 1985

3 LIST OF AMENDMENTS

r 10	ins No. 28, 1984, r 1
sch 3	ins No. 28, 1984, r 2
	amd Act No. 49, 1985, s 3(5)