

**NORTHERN TERRITORY OF AUSTRALIA**

**MARINE (SAFETY MANNING) REGULATIONS**

As in force at 2 April 2001

**Table of provisions**

<b>Part I</b>	<b>Introductory</b>	
1	Citation .....	1
2	Commencement .....	1
3	Interpretation .....	1
<b>Part II</b>	<b>Manning requirements</b>	
4	Application of Code .....	2
5	Construction of Code .....	2
6	Safety manning requirements .....	2
7	Review .....	2
<b>Part III</b>	<b>Watchkeeping qualifications</b>	
8	Watchkeeping qualifications .....	3
<b>ENDNOTES</b>		

# NORTHERN TERRITORY OF AUSTRALIA

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This reprint shows the Regulations as in force at 2 April 2001. Any amendments that commence after that date are not included.

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## MARINE (SAFETY MANNING) REGULATIONS

### Regulations under the *Marine Act*

#### Part I                    **Introductory**

##### **1                    Citation**

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

##### **2                    Commencement**

These Regulations shall come into force 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.

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

**vessel** means a vessel other than a vessel that is:

- (a) a hire and drive vessel;
- (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;
- (da) a fishing vessel that is less than 6.2 metres in length that is operating in conjunction with a mother vessel and is within 5 nautical miles of the mother vessel;

- (db) a fishing vessel that is less than 6.2 metres in length that is operating within 5 nautical miles of the coast;
- (e) an off-shore industry mobile unit; or
- (f) an off-shore industry vessel in respect of which a declaration under section 8A(5) of the *Navigation Act* is in force.

## **Part II Manning requirements**

### **4 Application of Code**

Subject to these Regulation, part 4 of section 2 and part 4 of section 3 extends and applies to all vessels.

### **5 Construction of Code**

In construing part 4 of section 2 and part 4 of section 3:

- (a) the definitions contained in sections 1, 2 and 3 shall be read subject to the Act and these Regulations;
- (b) references to **Authority** shall, in relation to the Territory, be read as referring to the Department primarily responsible to the Minister for the administration of the Act;
- (c) references to **a Manning Committee** or **the Committee** shall be read as references to the appropriate advisory committee; and
- (d) references to **vessel** shall be read as references to a vessel to which these Regulations apply.

### **6 Safety manning requirements**

The number of certificated and uncertificated persons required to be on board a vessel for the purposes of section 25 of the Act shall be determined by the Authority in accordance with the Code.

### **7 Review**

Where the owner of a vessel is dissatisfied with the determination of the Authority of the number of certificated and uncertificated persons required to be on board in relation to the vessel, he or she may, not later than 28 days after the date of the determination, request the Director to review the determination.

**Part III                    Watchkeeping qualifications****8                    Watchkeeping qualifications**

The prescribed qualifications for watchkeeping officers are:

- (a) in respect of a navigation watch or the operation of the main propulsion machinery of a vessel – the qualifications set out in subclause 2.2 of section 2;
- (b) in respect of a radiotelegraph installation on a vessel – the qualifications required by the applicable provisions of the Commonwealth Navigation (Radio) Regulations, as amended from time to time; and
- (c) in respect of a radiotelephone installation on a vessel – the qualifications set out in clause 21 of section 12.

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**ENDNOTES**
**1 KEY**

Key to abbreviations

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

**2 LIST OF LEGISLATION*****Marine (Safety Manning) Regulations (SL No. 14, 1982)***

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

***Amendments of the Marine (Safety Manning) Regulations (SL No. 35, 1991)***

Notified	10 July 1991
Commenced	28 August 1991 ( <i>Gaz G34</i> , 28 August 1991, p 2)

***Amendment of Marine (Safety Manning) Regulations (SL No. 9, 2001)***

Notified	2 April 2001
Commenced	2 April 2001

**3 LIST OF AMENDMENTS**

r 3	amd No. 35, 1991, r 3; No. 9, 2001
r 4	amd No. 35, 1991, r 4
r 5	amd No. 35, 1991, r 5
rr 6 – 7	sub No. 35, 1991, r 6
sch	rep No. 35, 1991, r 7