

NORTHERN TERRITORY OF AUSTRALIA  
MARINE (EXAMINATIONS AND CERTIFICATES) REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 1982, No. 16 \*

Regulations under the Marine Act

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the Marine Act.

Dated this 4<sup>th</sup> day of March, 1982.

E. E. JOHNSTON

Administrator

By His Honour's Command

N. M. DONDAS

Minister for Transport and Works

MARINE (EXAMINATIONS AND CERTIFICATES) REGULATIONS

PART I - INTRODUCTORY

1. CITATION

These Regulations may be cited as the Marine (Examinations and Certificates) 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;

"Schedule" means a Schedule to these Regulations;

\* Notified in the Northern Territory Government Gazette  
on 12 MAR 1982, 1982.

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"section", "clause" or "sub-clause" mean a section, clause or sub-clause 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 inter-state or overseas voyage;
- (d) a fishing vessel that is proceeding on an overseas voyage;
- (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 - GENERAL AND PARTICULAR REQUIREMENTS

#### 4. PRESCRIBED QUALIFICATIONS AND FORMS

(1) The prescribed qualifications required to be held by an applicant for the issue of a Certificate of Competency under Part III, Division 3 of the Act are those set out in section 2.

(2) For the purposes of Part III, Division 3 of the Act, the prescribed forms shall be those set out in Schedule 1.

#### 5. STANDARDS OF MEDICAL AND PHYSICAL FITNESS

The Minister may, for the purposes of section 2, determine the minimum standard of physical and medical fitness, including hearing and form and colour vision, to be attained by persons applying for certificates.

#### 6. APPLICATION OF CODE

Subject to these Regulations, section 2, with the exception of sub-clauses 3.9.1 and 3.10.1, extends and applies to employment in all vessels.

#### 7. CONSTRUCTION OF CODE

In construing section 2 -

- (a) the definitions contained in section 1 shall be read subject to the Act and these Regulations; and
- (b) references to "an Authority", "the Authority" or "that Authority" shall, in relation to the Territory, be read in the manner set out in Schedule 2;

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### 8. ADAPTION AND MODIFICATION OF SECTION 2

In the application of section 2 and the schedules thereto to certificates of competency issued, and examinations held, for the purposes of Part III of the Act -

- (a) in sub-clause 2.13, the appropriate adjudicative body is the Tribunal;
- (b) in sub-clause 2.14.2, the stipulated period is 12 months; and
- (c) in sub-clause 4.4.3, the appropriate adjudicative body is the Tribunal.

### PART III - QUALIFYING SERVICE

#### 9. APPROVED QUALIFYING SERVICE

For the purposes of clause 5 of section 2, approved qualifying service for masters, mates and coxswains shall mean service assessed in accordance with the principles set out in Schedule 3.

#### 10. INLAND WATERS

The Director may, after having regard to the nature of the inland water operations likely to be performed by the holder of that certificate, specify special conditions regarding approved qualifying service and examinations in relation to the issue of a certificate valid for operations on inland waters only.

### PART IV - EXAMINATIONS

#### 11. APPLICATIONS FOR EXAMINATIONS

(1) An application to sit for an examination and for the issue of a certificate shall be lodged not less than 10 days before the date of the examination.

(2) An application shall be accompanied by the prescribed fee.

(3) Fees for examinations and the issue of certificates shall be as from time to time determined by the Minister by notice in the Gazette.

#### 12. POWERS OF MINISTER AND DIRECTOR IN RELATION TO EXAMINATIONS

(1) The Minister may, by notice in the Gazette -

- (a) appoint a person to be an examiner; and
- (b) nominate an institution or organisation to conduct examinations.

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- (2) The Director may -
- (a) determine the rules under which examinations shall be conducted; and
  - (b) determine the times and places at which examinations shall be conducted.
-

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SCHEDULE 1

FORM C. 1

NORTHERN TERRITORY OF AUSTRALIA

Regulation 4(2)

Marine (Examinations and Certificates) Regulations

APPLICATION FOR EXAMINATION AND THE ISSUE OR  
REVALIDATION OF A CERTIFICATE

Applicant's personal particulars (use BLOCK letters)

Full name: .....  
Residential address: .....  
Postal address: .....  
Date of birth: ...../...../..... Place of birth: .....  
Telephone No: .....

A. CERTIFICATE OF COMPETENCY

I hereby apply to sit for an examination for the issue of a Certificate  
of Competency as .....

...../...../.....  
Signature of applicant Date

B. CERTIFICATE OF SATISFACTORY SERVICE

I hereby apply for the issue of a Certificate of Satisfactory Service  
as .....

Attached is supporting documentation in relation to qualifications,  
experience and sea service.

...../...../.....  
Signature of applicant Date

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C. TEMPORARY PERMIT TO SERVE

I hereby apply for a Temporary Permit to Serve as .....

Attached is supporting documentation in relation to qualifications, experience and sea service.

...../...../.....  
Signature of Applicant Date

N.B: The prescribed fee and two colour passport photographs are to be submitted with this application.

On reverse

1. EDUCATION (include details of apprenticeship if applicable)

Name of School/College .....  
Courses attended .....  
Qualifications .....

2. CERTIFICATE OF COMPETENCY PREVIOUSLY HELD  
(insert "none" where applicable)

Certificate No. ....  
Type and grade .....  
Place and date of issue ...../...../.....  
Issuing authority .....  
Endorsements .....

3. STATEMENT OF SERVICE

Name of vessel .....  
Length ..... B.H.P. ....  
Area of operation .....  
Position held .....From ...../...../..... to ...../...../.....

---

OFFICIAL USE ONLY

Date application received ...../...../..... Fee Paid \$.....  
Receipt Number .....

Qualifying service required .....  
Qualifying Service Accredited.....

Medical Safety course R/T Certificate  
Eyesight First Aid Other (specify)

Certificate/Permit No..... Date of issue ...../...../.....

Marine (Examinations and Certificates) Regulations

FORM C. 2

NORTHERN TERRITORY OF AUSTRALIA

Regulation 4(2)

Marine (Examinations and Certificates) Regulations

CERTIFICATE OF COMPETENCY

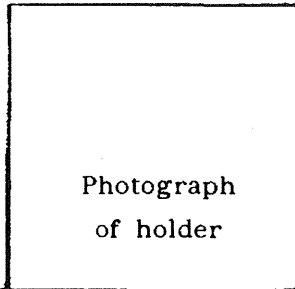
Certificate No. ....

I HEREBY CERTIFY that subject to any endorsements, conditions or limits appearing on this certificate, .....,  
(name of holder)

whose signature appears below possesses acceptable basic qualifications to serve in a vessel to which Part III of the Marine Act applies as .....

.....  
Director

.....  
Date



Holder's signature .....

Details of validity

Endorsements .....

Conditions and or limits .....

.....

Revalidation .....



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FORM C. 3

NORTHERN TERRITORY OF AUSTRALIA

Marine (Examinations and Certificates) Regulations

Regulation 4(2)

CERTIFICATE OF SATISFACTORY SERVICE

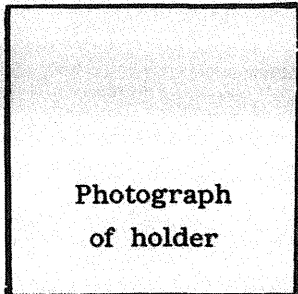
Certificate No.....

I HEREBY CERTIFY that subject to any endorsements, conditions or limits appearing on this certificate, .....,  
(name of holder)

whose signature appears below possesses acceptable basic qualifications to serve in a vessel to which Part III of the Marine Act applies as .....

.....  
Director

.....  
Date



Holder's signature .....

Details of validity

Endorsements .....

Conditions and/or limits .....

.....

Revalidation .....

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FORM C. 4

NORTHERN TERRITORY OF AUSTRALIA

Marine (Examinations and Certificates) Regulations

Regulation 4(2)

TEMPORARY PERMIT TO SERVE

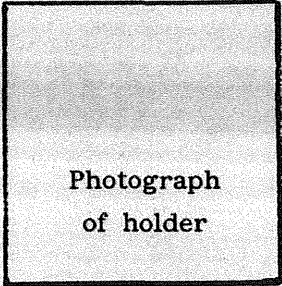
Permit No.

I HEREBY CERTIFY that subject to any endorsements, conditions or limits appearing on this permit, .....  
(name of holder)

whose signature appears below possesses acceptable basic qualifications to serve in a vessel to which Part III of the Marine Act applies as .....

.....  
Director

.....  
Date



Holder's signature .....

Details of validity

Endorsements .....

Conditions and/or limits .....

.....

Revalidation .....

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FORM C. 5

NORTHERN TERRITORY OF AUSTRALIA

Marine (Examinations and Certificates) Regulations

Regulation 4(2)

TEMPORARY PERMIT (WATCHKEEPING)

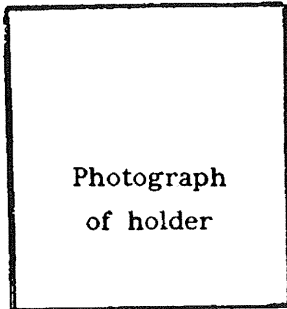
Permit No.

I HEREBY CERTIFY THAT .....  
(name of holder)

is permitted to serve as .....  
in the vessel ..... whilst that vessel is operating  
in .....

Dated at ..... this ..... day of ....., 19....

.....  
Director



Details of validity

Endorsements .....

Conditions and limits .....

.....

Revalidation ...../...../.....  
Date

Marine (Examinations and Certificates) Regulations

SCHEDULE 2

Regulation 7(b)

CONSTRUCTION OF REFERENCES TO "AUTHORITY"  
IN SECTION 2

| Clause           | Words                                        | Construction     |
|------------------|----------------------------------------------|------------------|
| 1.1              | "the Authority"                              | "the Territory"  |
| 1.1.3            | "the Authority"                              | "the Director"   |
| 1.1.4            | "the Authority"                              | "the Director"   |
| 1.2.3            | "the Authority"                              | "the Director"   |
| 1.2.4            | "the Authority"                              | "the Director"   |
|                  | "the Authority's"                            | "the Director's" |
| 1.2.5            | "the Authority"                              | "the Director"   |
|                  | "the Authority's"                            | "the Director's" |
| 1.2.16           | "the Authority"<br>(twice occurring)         | "the Director"   |
| 2.1.1            | "the Authority"                              | "the Director"   |
| 2.3.1<br>(Table) | "the Authority"                              | "the Director"   |
| 2.4.1            | "the Authority"                              | "the Director"   |
| 2.4.2            | "the Authority"                              | "the Director"   |
| 2.4.4            | "the Authority"<br>(first 3 times occurring) | "the Director"   |
| 2.4.5            | "the Authority"<br>(twice occurring)         | "the Director"   |

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| Clause | Words                                                                   | Construction      |
|--------|-------------------------------------------------------------------------|-------------------|
|        | "the Authority's"                                                       | "the Territory's" |
| 2.4.6  | "the Authority"                                                         | "the Director"    |
| 2.5.   | "the Authority"<br>(first occurring)                                    | "the Director"    |
|        | (second occurring)                                                      | "the Territory"   |
|        | (third and fourth<br>occurring)                                         | "the Director"    |
| 2.6.1  | "the Authority"                                                         | "the Director"    |
| 2.6.2  | "the Authority"<br>(wherever occurring)                                 | "the Director"    |
| 2.7.1  | "the Authority"                                                         | "the Director"    |
| 2.7.4  | "the Authority"                                                         | "the Director"    |
| 2.8.1  | "the Authority"<br>(first, second, fourth<br>and fifth occurring)       | "the Director"    |
| 2.8.2  | "the Authority"<br>(twice occurring)                                    | "the Director"    |
| 2.9.1  | "the Authority"<br>(twice occurring)                                    | "the Director"    |
| 2.9.2  | "the Authority"<br>(wherever occurring)                                 | "the Director"    |
| 2.10.1 | "the Authority"<br>(wherever occurring)                                 | "the Director"    |
| 2.11.1 | "the Authority"                                                         | "the Director"    |
| 2.12.1 | "the Authority"<br>(first, third, fourth,<br>fifth and sixth occurring) | "the Director"    |
|        | (second occurring)                                                      | "the Territory"   |
| 2.12.2 | "the Authority"                                                         | "the Director"    |
| 2.13.1 | "the Authority"                                                         | "the Director"    |

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| Clause | Words                                             | Construction     |
|--------|---------------------------------------------------|------------------|
| 2.14.2 | "the Authority"                                   | "the Director"   |
| 2.14.3 | "the Authority"                                   | "the Director"   |
| 2.14.4 | "the Authority"                                   | "the Director"   |
| 2.15.1 | "the Authority"                                   | "the Director"   |
| 3.1.1  | "the Authority"<br>(twice occurring)              | "the Director"   |
| 3.4.1  | "the Authority"                                   | "the Minister"   |
| 3.5.1  | "the Authority"                                   | "the Director"   |
| 3.5.3  | "the Authority"                                   | "the Department" |
| 3.6.1  | "the Authority"<br>(twice occurring)              | "the Director"   |
| 3.7.1  | "the Authority"                                   | "the Director"   |
| 3.8.1  | "the Authority"                                   | "the Director"   |
| 4.1.1  | "the Authority"<br>(first and third<br>occurring) | "the Territory"  |
|        | (second occurring)                                | "the Minister"   |
|        | (fourth occurring)                                | "the Director"   |
| 4.2.1  | "the Authority"                                   | "the Director"   |
|        | "the Authority"                                   | "the Territory"  |
| 4.3.1  | "the Authority"<br>(first occurring)              | "the Territory"  |
|        | (second occurring)                                | "the Director"   |
| 4.3.2  | "the Authority"<br>(twice occurring)              | "the Director"   |
| 4.3.4  | "the Authority"                                   | "the Director"   |
| 4.4.1  | "the Authority"<br>(first occurring)              | "the Territory"  |

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| Clause                          | Words                                   | Construction        |
|---------------------------------|-----------------------------------------|---------------------|
|                                 | (second and third occurring)            | "the Director"      |
| 4.4.2                           | "the Authority"                         | "the Director"      |
| 4.4.3                           | "the Authority"<br>(twice occurring)    | "the Director"      |
| 4.5.1                           | "the Authority"<br>(first occurring)    | "the Director"      |
|                                 | (second occurring)                      | "these Regulations" |
| 4.5.2                           | "an Authority"                          | "the Director"      |
|                                 | "the Authority"                         | "the Director"      |
| 4.5.3                           | "the Authority"<br>(twice occurring)    | "the Director"      |
| 4.5.4                           | "the Authority"                         | "the Director"      |
| 5.1.1 to<br>5.12.3<br>inclusive | "the Authority"<br>(wherever occurring) | "the Director"      |

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SCHEDULE 3

Regulation 9

GUIDELINES FOR THE ASSESSMENT OF  
APPROVED SERVICES

- A. In determining the qualifying service for a certificate of competency as a Coxswain the following guidelines shall be used -
1. Except as provided by paragraph 2, qualifying service may be performed on any vessel, commercial or non-commercial.
  2. Not less than 3 months shall be served on vessels of less than 20 metres in length.
  3. Not less than 3 months shall be served on vessels operating within the geographical area for which the certificate will be valid.
- B. In determining the qualifying service for the issue or revalidation of a certificate of competency as a Master Class V and Mate Class IV the following principles shall be followed -
1. Service shall be on a commercial vessel (i.e. fishing or trading). Commercial vessels include government vessels which employ a suitably qualified master or coxswain.
  2. Service on non-commercial vessels (i.e. yachts and naval vessels) may be counted at a rate determined by the Examiner but not more than one-half rate and such that not more than 15 months approved service shall be credited.
  3. Notwithstanding the provisions of paragraphs 1 and 2 when a "limited" certificate is to be issued, any service on non-commercial vessels may be accepted at any rate and for whatever proportion of the required service that the Director, on the recommendation of the Examiner, determines.
  4. Services shall be performed in a deck capacity (i.e. deck boy, ordinary seaman, seaman or general purpose deckhand).
  5. Service in any capacity other than on deck on vessels of less than 35 metres may be counted in full to a maximum of 12 months.
  6. Service in any capacity other than on deck on vessels of 35 metres and over may be counted in full to a maximum of 6 months.



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7. Service in a vessel which operates outside of sheltered water limits may be counted as sea-going irrespective of time actually spent outside the sheltered water limits.
  8. Service for a certificate of competency for sea-going limits must include not less than 15 months service on a vessel engaged in sea-going operations. The other 15 months may be on vessels operating in any sheltered waters excepting inland waters.
  9. Service for a certificate of competency restricted to sheltered waters only shall include not less than 6 months' service on a vessel or vessels operating within the particular sheltered waters for which the certificate will be endorsed.
  10. Where a vessel does not operate continuously at sea or there are long periods when the vessel is idle or unemployed in normal duties, any qualifying service claimed for such periods will not be counted.
- C. In determining approved watchkeeping service for Master Class III and IV the following rules shall apply:
1. Watchkeeping service means that during the whole of the period claimed the candidate must have been in full charge of a navigation watch for not less than 8 hours per day.
  2. Where a navigation watch is maintained by 2 officers, the junior officer may count the watchkeeping service performed at two-thirds rate to a maximum of one-half of the qualifying watchkeeping service required for any certificate.
  3. Watchkeeping service shall be performed in its entirety on sea-going vessels.
  4. Watchkeeping service on non-sea-going vessels will count only towards a certificate of competency restricted to non-sea-going limits only.