



Australian Government

Australian Maritime Safety Authority

The National System for Domestic Commercial Vessel Safety

Consultation on changes to survey regime for domestic commercial vessels from 1 July 2018

Consultation open until 2 May 2018

Who needs to know about the changes?

- Stakeholders who own or operate a domestic commercial vessel (DCV) that requires a certificate of survey (CoS) or a load line certificate under the National Law
- Stakeholders who own or operate a DCV operating with an approval issued under Exemption 02 (Certificates of survey) or Exemption 40 (Class C restricted operations)
- Stakeholders who own or operate an unpowered barge under Exemption 41 (Unpowered barges)
- Accredited marine surveyors
- Recognised Organisations

What happens after consultation closes?

Once all submissions have been received, AMSA will finalise the amendments and publish the revised instruments on our website, together with a Consultation Feedback Report summarising feedback received and AMSA's responses.

IMPORTANT: It would be appreciated if stakeholders could, when providing feedback, use the submission form provided or indicate the 'KEY CHANGE' it relates to.

What are the key changes?

- #1 – [Expanded non-survey category](#)
- #2 – [Reduced periodic survey requirements](#)
- #3 – [Survey modifiers/high risk attributes](#)
- #4 – [More flexibility in survey timing](#)
- #5 – [Individualised survey frequency](#)
- #6 – [New survey schedules](#)
- #7 – [Expanded Restricted C category](#)
- #8 – [Proposed changes to class survey arrangements](#)
- #9 – [Clarifying survey arrangements for unpowered barges](#)

Background to the proposed new survey arrangements

A 2014-2015 'streamlining review' was undertaken, driven by:

Industry concerns

Concerns with how the National System had been implemented
Perceived outdated or unnecessary requirements

Deregulation agendas

Government red tape reduction initiatives
Commonwealth agencies required to reduce regulatory costs

Cost of regulation

Increasing costs, reduced government budgets
Administering marine safety regulation can be expensive

International trends

Increased focus on SMS internationally
Less prescription, more performance-based

Background to the proposed new survey arrangements

- Commences on 1 July 2018
- Implements the recommendations of the [*Decision Regulation Impact Statement \(RIS\) – Survey under the National System for Domestic Commercial Vessels*](#) with some minor changes
- The key changes also include complimentary changes not in the RIS

Key change #1: expanded non-survey category

- Implemented through [Exemption 02 \(Certificates of survey\)](#)
- Key features:
 - length cut-off for Class 2, 3 and 4 non-survey extended from <7.5m to <12m
 - vessels must operate in sheltered waters and not have a modifier
 - <12m Class 2D and 2E vessels will be able to carry 4 passengers or less
 - vessels involved in sporting/recreational activities and operate inshore to be non-survey where affiliated with a body AMSA determines has systems in place to manage risk
 - vessels currently in survey which will become eligible for non-survey can apply for approval under Exemption 02 after 1 July 2018
- Other miscellaneous changes:
 - requirement to notify AMSA of changes to the vessel
 - clarification of load line requirements for non-survey vessels

Feedback on expanded non-survey category

- **Question 1:** Do you support the change that allows Class 2D and 2E non-survey vessels <12m to carry up to 4 passengers?
- **Question 2:** Do you like the presentation of the proposed amended Exemption 02? Is it easy to read?
- **Question 3:** Is there any specific guidance you feel would be useful in relation to specific parts of amended Exemption 02?

Key change #2: reduction of periodic survey requirements

- Implemented through [Marine Order 503 \(Certificate of survey\)](#) and [Part 2 Marine Surveyors Accreditation Guidance Manual](#) (NSAMS 4/section 14 of USL Code no longer apply)
- Applies to all new and existing (grandfathered) vessels
- Almost half of vessels with a CoS will be in **low** survey frequency - renewal survey (in and out of water) required
- More than a third of vessels with a CoS will be in **medium** survey frequency - one mid cycle in-water survey plus renewal survey (in and out of water) required
- Remaining vessels with a CoS will be in **high** survey frequency – 4 in 5 year survey required (no survey at year 4)

Key change #2: reduction of periodic survey requirements

NSAMS Survey Level 1

NSAMS Level 1 Survey Requirements

Year 0
Initial survey

Year 1
In water survey

Year 2
In water survey

Year 3
In & out of water surveys

Year 4
In water survey

Year 5
Renewal in & out of water surveys

Class 1
Class 2A
Class 2B > 7.5m
Class 2C > 7.5m
High Risk Class 2C < 7.5m
High Risk Class 2D < 7.5m
High Risk Class 2E < 7.5m
Class 3A
Class 3B extended & 3B
Class 3C > 7.5m
Unpowered Barges of high risk
Ferries in chains

503 Survey Frequency High

Class 1
Class 2A with passengers
Class 2B extended with passengers
Class 2B with passengers
Vessels with steam propulsion
Submersibles
Wing-in-ground effect craft
Novel Vessels
High speed thrill ride vessels

503 Survey Category High Requirements

Year 0
Initial survey

Year 1
In water survey

Year 2
In water survey

Year 3
Out of water surveys

Year 4
No surveys

Year 5
Renewal in & out of water surveys

Key change #2: reduction of periodic survey requirements

NSAMS Survey Level 2

NSAMS Level 2 Survey Requirements

Year 0
Initial survey

Year 1
No surveys

Year 2
No surveys

Year 3
In & out of water surveys

Year 4
No surveys

Year 5
Renewal in & out of water surveys

Class 2C < 7.5m with passengers

Class 2D with passengers

Class 2E with passengers

Class 4C

Class 4D with overnight passengers

Class 4E with overnight passengers

503 Survey Frequency Medium

503 Survey Category Medium Requirements

Year 0
Initial survey

Year 1
No surveys

Year 2
No surveys

Year 3
In water survey

Year 4
No surveys

Year 5
Renewal in & out of water surveys

Class 2A with no passengers

Class 2B extended with no passengers

Class 2B with no passengers

Class 3A, 3B extended and 3B

Class 2C \geq 12m

Class 2C with a modifier

Class 2D with a modifier

Class 2E with a modifier

Class 3C \geq 12m

Class 2D \geq 12m with passengers

Class 2E \geq 12m with passengers

Class 4C, 4D & 4E \geq 12m

Class 4C, 4D & 4E with a modifier

Class 3C, 3D & 3E with a modifier

Key change #2: reduction of periodic survey requirements

NSAMS Survey Level 3

NSAMS Level 3 Survey Requirements

Year 0
Initial survey

Year 1
No surveys

Year 2
No surveys

Year 3
No surveys

Year 4
No surveys

Year 5
No surveys

Class 2C < 7.5m with no passengers

Class 2D > 7.5m with no passengers

Class 2E > 7.5m with no passengers

Class 3C < 7.5m

Class 3D > 7.5m

Class 3E > 7.5m

Class 4D > 7.5m no overnight passengers

Class 4E > 7.5m no overnight passengers

503 Survey Frequency Low

503 Survey Category Low Requirements

Year 0
Initial survey

Year 1
No surveys

Year 2
No surveys

Year 3
No surveys

Year 4
No surveys

Year 5
Renewal in & out of water surveys

Class 2C < 12m no modifier

Class 2D < 12m passengers, no modifier

Class 2E < 12m passengers, no modifier

Class 2D no passengers & no modifier

Class 2E no passengers & no modifier

Class 3C < 12m no modifier

Class 3D no modifier

Class 3E no modifier

Class 4C < 12m no modifier

Class 4D & 4E < 12m no modifier

Class 2 Ferry in chains

Class 2 & 3 permanently moored

Class 2 & 3 unpowered barge no modifier

Key change #2: reduction of periodic survey requirements

Other complimentary changes include:

- additional criteria for the issue of a CoS for new/transitional vessels >35m requiring compliance with the construction and equipment requirements in Annex 1 of MARPOL (**Note:** AMSA is not proposing to issue MARPOL certification)
- criteria for variation and renewal of certificates
- clarification of when load line surveys required under [Marine Order 507 \(Load line certificates\)](#) must occur
- changes to requirements that vessel owners notify AMSA of certain changes
- transitional provisions

Key change #3: proposed new survey 'modifiers'

- Implemented through [Marine Order 503 \(Certificate of survey\)](#)
- New survey 'modifiers' – 'high risk' operations and vessel attributes that change the survey requirements which would otherwise apply to the vessel
- The new MO503 'modifiers' reflect the modifiers that are already in [Exemption 02 \(Certificates of survey\)](#)
- Vessels with a modifier are in medium survey frequency (**unless** otherwise in high – eg. a Class 1 vessel)
- 'Age' has been added as a modifier – includes vessels that are 15 years or older (except vessels with aluminum or steel hulls)

Key change #4: more flexibility in survey timing

- Implemented through [Marine Order 503 \(Certificate of survey\)](#)
- Periodic survey may occur up to 3 months prior to and 3 months after the due date, providing a 6 month window
- **Note:** the due date is the same each year, regardless as to when the survey is conducted
- Renewal surveys must occur within the 6 month period before the CoS expires

Key change #5: individualised survey frequency

- Implemented through [Marine Order 503 \(Certificate of survey\)](#)
- Flexibility to move vessels into higher or lower survey frequency levels, depending on the performance of the individual vessel
- Vessels which perform poorly during survey or compliance monitoring activities will be moved into a higher survey frequency level
 - high survey frequency vessels can be moved into annual survey
 - low survey frequency vessels can be moved into medium survey frequency
- Owners can apply to move a vessel into a lower survey frequency level when their CoS is being renewed after 2023 - Survey Mobility Rules will be released before that date

Feedback on key changes #2, #3, #4 and #5

- **Question 1:** Do you agree that 'survey modifiers' should include vessels that are 15 years or older (excluding vessels with aluminium/steel hulls)?
- **Question 2:** What do you think about the additional criteria for new or transitional vessels >35m requiring compliance with the construction and equipment requirements in Annex 1 of MARPOL?
- **Question 3:** Do you have any comments on the additional criteria for new vessels fitted with a marine diesel engine >130 kW requiring the vessel to have an EIAPP certificate or an engine international air pollution prevention certificate issued in accordance with Annex VI of MARPOL?
- **Question 4:** Do you like the presentation of the amended MO503?
- **Question 5:** Is there any specific guidance you feel would be useful in relation to specific parts of amended MO503?

Key change #6: Manual and new survey schedules

- Implemented through [Marine Order 503 \(Certificate of survey\)](#) and [Part 2 of the Marine Surveyors Accreditation Guidance Manual](#). A summary of the changes from NSAMS 4 is [here](#). Part 1 of the Manual for accrediting marine surveyors can be found [here](#)
- The survey schedules (the aspects of the vessel that must be inspected at each survey) have been reviewed and are located in Part 2 of the Manual
- Changes allow for the use of modern technology in vessel construction, maintenance and survey
- The NSAMS 4 requirement to test/verify/examine/trial items in specific years have been replaced with a general requirement that surveyors test/verify/examine/trial items to be satisfied that the vessel complies with the applicable legislation/standards

Feedback on Manual and new survey schedules

- **Question 1:** Do you like the presentation of the Manual? Is it easy to read?
- **Question 2:** What do you think about the new survey schedules?
- **Question 3:** Do you prefer the approach in NSAMS 4 of imposing a specific requirement to test/verify/examine/trial items in specific years of the survey cycle? Or the new approach in the Manual, which allows greater flexibility for surveyors to determine if an item needs to be tested/verified/examined/trialed to be satisfied that the vessel complies with the applicable legislation/standards?

Key change #7: expanded Restricted C category

- Implemented through [Exemption 40 \(Class C restricted operations\)](#)
- Key features expand the number of people that may be carried:
 - 12 persons (no passengers) when within 5nm from a shore base (within restricted C areas)
 - 6 persons (no passengers) when within 15nm from the shore (within restricted C areas)
 - 3 persons (no passengers) otherwise when within restricted C areas
- These changes were not included in the RIS
- Other complimentary changes:
 - more flexibility around equipment requirements
 - requirement to notify AMSA about vessel changes
 - miscellaneous amendments

Feedback on expanded Restricted C category

- **Question 1:** Do you support the proposed change to allow Class 2 and Class 3 vessels <12m to increase the overall number of crew and special personnel permitted on the vessel at any one time?
- **Question 2:** Do you like the presentation of the proposed amended Exemption 40? Is it easy to read?
- **Question 3:** Is there any specific guidance you feel would be useful in relation to specific parts of amended Exemption 40?

Key change #8: proposed changes to Class survey requirements

- Implemented through [Marine Order 503 \(Certificate of survey\)](#)
- The requirement for vessels $\geq 35\text{m}$ to be surveyed by a Recognised Organisation is now in Marine Order 503 (other than existing vessels not required to be in Class)
- From July 2020, the changes to the Class survey requirements recommended by the RIS will commence:
 - $< 45\text{m}$ vessels may undergo initial and periodic surveys by an Accredited Marine Surveyor
 - $< 65\text{m}$ vessels may undergo periodic surveys by an Accredited Marine Surveyor
- Complementary changes to the NSCV and the Surveyor Accreditation scheme are required to support these reforms

Key change #8: proposed changes to Class survey requirements

- Do you think we should expand the changes to Class survey requirements to larger vessels? Read our policy paper [here](#)
- The RIS did not consider allowing >45m-65m vessels to undergo initial and periodic survey by an Accredited Marine Surveyor. This is because:
 - there are serious safety considerations underpinning vessels being in Class
 - significant changes would be required to the NSCV
 - it is unclear whether there is a sufficient number of Accredited Marine Surveyors with the skills, knowledge and technical experience required to undertake survey of >45m-65m vessels

Feedback on proposed changes to Class survey requirements

- **Question 1:** Can you provide any estimates or examples of the savings associated with removing the requirement for DCVs <65m to undergo initial survey (and certification) by a Recognised Organisation?
- **Question 2:** Do you think there will be any safety implications in allowing DCVs >45m-65m to undergo initial survey by an Accredited Marine Surveyor, either positive or negative?
- **Question 3:** Can you provide recommendations on the changes to current arrangements, including the NSCV, Surveyor Accreditation scheme and survey schedules, that would be needed if DCVs >45m-65m were permitted to undergo initial survey by an Accredited Marine Surveyor?

Key change #9: Survey arrangements for unpowered barges

- Implemented through [Exemption 41 \(Unpowered barges\)](#)
- Clarifies Exemption 41, which provides exemptions for unpowered barges from certain requirements, to provide:
 - the exact standards an unpowered barge will be exempt from, depending on the kind of operation it is used for
 - that Class 1 (passenger) unpowered barges ARE eligible for the exemptions in Exemption 41, but NOT where they are being used for overnight accommodation
 - that unpowered barges only need to have ‘appropriate crew’ – NOT core complement or minimum crew

Feedback on survey arrangements for unpowered barges

- **Question 1:** Do you find it easy to understand the technical specifications in amended Exemption 41?
- **Question 2:** Do you have any feedback on Exemption 41 applying to Class 1 vessels? Do you think Exemption 41 should apply to unpowered barges providing overnight accommodation?
- **Question 3:** Do you think the technical specifications in the table, being parts of the NSCV unpowered barges are NOT required to meet, for Class 1 unpowered barges are appropriate?
- **Question 4:** Do you think the survey arrangements for unpowered barges in the proposed new Marine Order 503, as modified by Exemption 41, are appropriate?
- **Question 5:** Do you support the change to allow unpowered barges currently ineligible to access the crewing exemption?

Transitioning to the new regime

- All vessels will move to the new survey regime on 1 July 2018. Replacement certificates will be issued based on the new schedules
 - this will be done automatically and vessel owners will not have to apply for the new certificate
- The vessel's survey year will be based on:
 - when the last shaft survey was completed; or
 - when the next out of water survey is due; or
 - other available survey information for the vessel