

NORTHERN TERRITORY OF AUSTRALIA
MARINE (SAFETY MANNING) REGULATIONS

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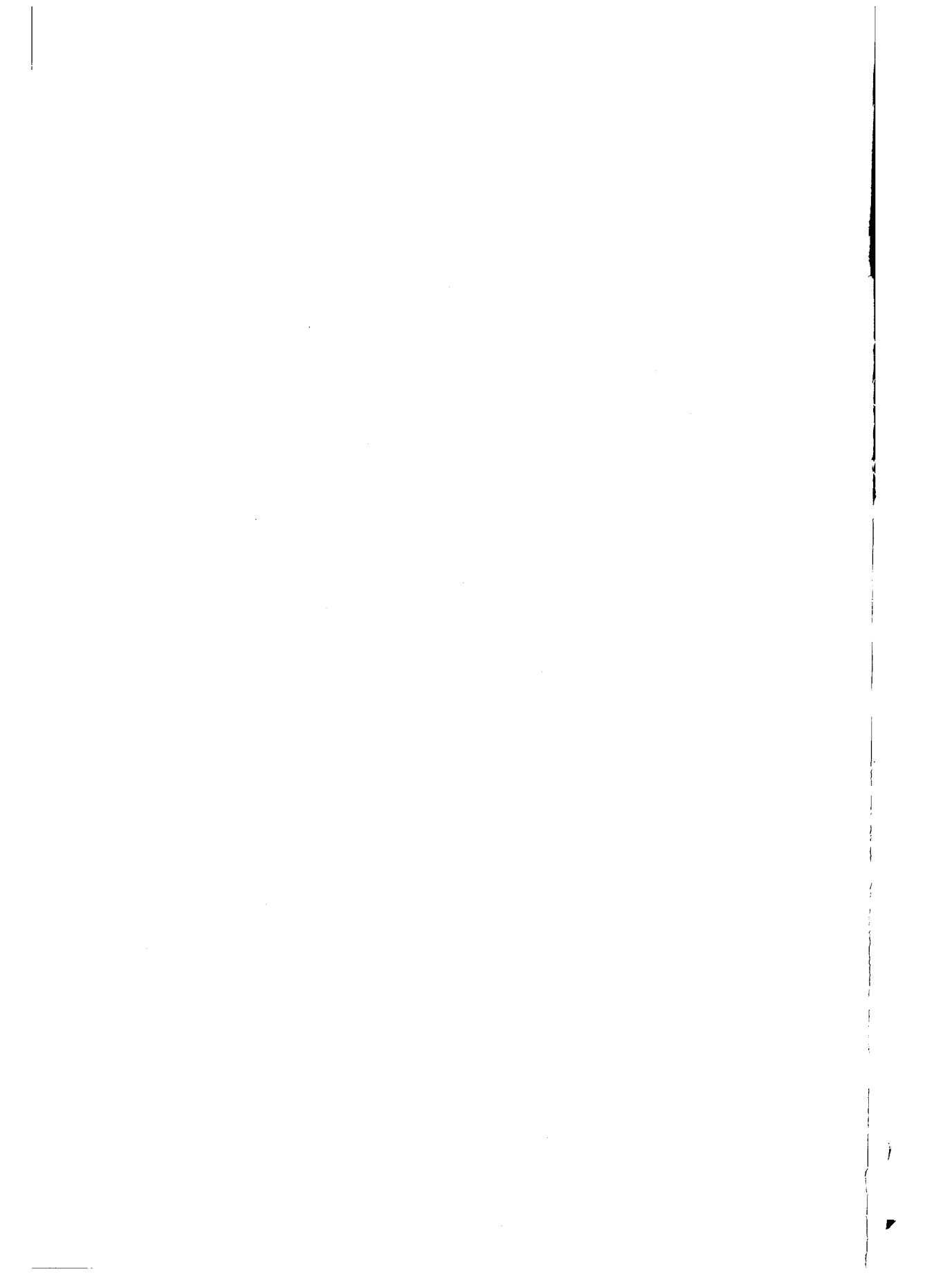
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NORTHERN TERRITORY OF AUSTRALIA

Regulations 1982, No. 14*

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 4th day of March, 1982.

E.E. Johnston
Administrator

MARINE (SAFETY MANNING) REGULATIONS

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;

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

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"section", "clause" and "sub-clause" mean a section, clause and 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 interstate 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 - MANNING REQUIREMENTS

4. APPLICATION OF CODE

Subject to these Regulation, section 3 extends and applies to all vessels.

5. CONSTRUCTION OF CODE

In construing section 3 -

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

(1) In respect of fishing vessels less than 35 metres in length, the numbers of certificated and uncertificated persons required to be on board the vessel shall be not less than those prescribed by the Minister in a determination made under section 194(2)(a) of the Act.

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(2) In respect of vessels other than those referred to in sub-regulation (1), section 3 shall apply in relation to the numbers of certificated and uncertificated persons required to be on board a vessel for the purposes of section 25 of the Act.

7. ADAPTION AND MODIFICATION OF SECTION 3

In the application of section 3 -

- (a) in sub-clause 3.1 the words "appeal to the Authority". shall be read and construed as meaning "a review of the manning requirements of a vessel by the Minister at the request of the owner or master.";
- (b) in clause 15 the notification in writing shall be sent to the person referred to in sub-clause 3.2 and shall be exhibited in a place open to the public in the office of the Director; and
- (c) in sub-clauses 17.1, 17.2 and clause 18 the references to Australia shall be read as references to the Territory.

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 sub-clause 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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SCHEDULE

Regulation 5(b)

CONSTRUCTION OF REFERENCES TO "AUTHORITY"
IN SECTION 3

Clause	Words	Construction
3.2	"the Authority"	"the Minister"
4	"the Authority" (twice occurring)	"the Minister"
5	"the Authority"	"the Minister"
7	"the Authority"	"the Director"
10	"the appropriate Authority"	"the Minister"
	"the Authority"	"the Minister"
11	"the Authority"	"the Minister"
17.2	"the appropriate Authority"	"the Director"
18	"the appropriate Authority"	"the Director"
Schedule (Notes 6 and 7)	"the Authority"	"the Minister"