

NOTIFICATION OF EXEMPTION
Transport Operations (Marine Safety) Act 1994
Transport Operations (Marine Safety) Regulation 2004

Maritime Safety Agency of Queensland
Brisbane, 1 February 2010

I, Patrick Quirk, Acting General Manager, Maritime Safety Queensland, pursuant to section 18A of the *Transport Operations (Marine Safety) Act 1994*, exempt the persons detailed in schedule A from complying with the provisions of sections 86 and 88 of the *Transport Operations (Marine Safety) Regulation 2004* relating to licensing requirements, subject to the following conditions:

CONDITIONS

- The ship is owned and operated by a government or non-government school or sporting association in Queensland; and
- The ship is only used for the purpose of sporting/training (rowing and sailing) or educational (marine studies) activities but not for the conduct of BoatSafe courses; and
- If the ship is operating within smooth waters and is powered by an engine of greater than 4.5KW (6hp) but less than 12kw (20hp) and the ship is 4.5 metres or less in length, the trainer must hold a Recreational Marine Driver License and may accompany an unlicensed trainee in another ship; or
- If the ship is operating within smooth or partially smooth waters, is powered by an engine of greater than 15kw (20hp) but less than 37kw (50hp) and is 6 metres or less in length the trainer must hold a Recreational Marine Driver License and a Yachting Australia Safety Boat Handling Course qualification and an unlicensed trainee must be under the direct and immediate supervision of the trainer on the same ship; or
- If the ship is operating in an official capacity in conjunction with a sailing club, within smooth waters and is 12 metres or less in length the operator must hold a Recreational Marine Drivers License and a Yachting Australia Safety Boat Handling Course qualification and an unlicensed trainee may only operate the ship subject to the provisions of Section 87 of the *Transport Operations (Marine Safety) 2004* – Operation of ship by unlicensed person.

Schedule A

- For a person who acts as the trainer in the supervision of unlicensed persons including trainees in compliance with the conditions above; or
- For a unlicensed trainee engaged in sporting, training or educational activities and the trainee under the direct supervision of a trainer who complies with the conditions above;
- For a person who acts as an official in conjunction with the activities of a sailing club who complies with the conditions above.

PATRICK QUIRK
Acting General Manager
Maritime Safety Queensland