



Fact sheet



Navigation Act 2012

If your project involves the operation of an Australian commercial vessel proceeding on an overseas voyage between international and Australian waters, you must comply with the maritime safety certification framework under this Act.

1. What approvals do I need?

Operators of Australian commercial vessels proceeding on an overseas voyage must meet international standards for maritime safety certification under the *Navigation Act 2012* (Navigation Act).

The Navigation Act applies to a vessel that meets the definition of a <u>regulated Australian vessel</u> (RAV). A vessel will be an RAV if it undertakes commercial operations beyond Australia's Exclusive Economic Zone.

Vessels operating as domestic commercial vessels (DCVs) are subject to separate certification requirements under the *Marine Safety (Domestic Commercial Vessel) National Law Act 2012*. However, general obligations for tonnage, collision prevention and pollution prevention under the Navigation Act still apply to DCVs.

To determine which maritime safety certification framework applies to your vessel, please refer to guidance [PDF] from the Australian Maritime Safety Authority (AMSA).

Unless exempt, RAVs must be:

- issued with an <u>IMO number</u>
- registered on either the <u>Australian General</u>
 <u>Shipping Register</u> or <u>Australian International</u>
 <u>Shipping Register</u>
- issued with the relevant statutory certificates that apply to the vessel and its intended operations.

Further details on statutory certificate requirements under the Navigation Act can be found in the Marine Order series 1 to 98 and Navigation Regulations 2023. AMSA has also prepared step-by-step guides on requirements for bringing a vessel to Australia or operating a vessel commercially overseas.

2. Who provides the approvals?

AMSA is the national regulator for the maritime sector and oversees the implementation and operation of the Navigation Act. AMSA, along with its partners, conducts compliance inspections on vessels, including foreign-flagged vessels, and has the authority to ban vessels from entering Australian waters for breaching safety or employment standards.

AMSA has delegated its functions under the Navigation Act for plan approval, survey and statutory certification services to Recognised Organisations.

3. How do I apply for the approvals?

To obtain required certification, you will need to contact and apply to the relevant Recognised Organisation.

Recognised Organisations are listed in Marine Order 1
(Administration) 2013 and on the flag State administration page on AMSA's website.

This fact sheet provides general information and does not constitute legal advice. You should seek independent legal advice tailored to your individual circumstances. The Major Projects Facilitation Agency (MPFA) assists major project proponents to navigate Australian Government approval processes. The MPFA does not grant approvals, nor administer the legislation listed in this fact sheet.

4. More information

Australian Maritime Safety Authority

Further information on requirements for maritime safety and protection of the marine environment is available on the AMSA <u>website</u>.

AMSA Connect can be contacted by email at AMSAConnect@amsa.gov.au.

Major Projects Facilitation Agency

If you would like assistance to identify potential Australian Government regulatory approvals required for your project, please refer to the <u>Major projects help tool</u> self-assessment.

The MPFA team can be contacted by email at MPFA@industry.gov.au.

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