



Queensland

Transport Operations (Marine Safety) Amendment Regulation (No. 1) 2006

Subordinate Legislation 2006 No. 20

made under the

Transport Operations (Marine Safety) Act 1994

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Amendment of s 13 (Lifesaving appliances—commercial ships to comply with USL code with changes)	2
5	Amendment of s 31 (Safety equipment for recreational ship operating in partially smooth waters and beyond)	2
6	Amendment of s 32 (Exception for anyone on recreational ship wearing wet suit and diver's jacket)	2
7	Amendment of s 38 (Safety equipment for tender operating in partially smooth waters and beyond)	3
8	Amendment of s 39 (Exception for person on tender wearing wet suit and diver's jacket)	3
9	Amendment of s 44 (Accreditation as a ship designer, ship builder or marine surveyor)	3
10	Omission of pt 12 (Repeal)	3
11	Insertion of new s 237	3
	237 Transitional provision for the Transport Operations (Marine Safety—Accreditation as Ship Designer, Ship Builder or Marine Surveyor) Standard 2006.	4
12	Amendment of sch 1 (Standards)	5

1 Short title

This regulation may be cited as the *Transport Operations (Marine Safety) Amendment Regulation (No. 1) 2006*.

2 Commencement

This regulation commences on 1 March 2006.

3 Regulation amended

This regulation amends the *Transport Operations (Marine Safety) Regulation 2004*.

4 Amendment of s 13 (Lifesaving appliances—commercial ships to comply with USL code with changes)

Section 13(3)(e), from ‘a wet suit’—

omit, insert—

‘an inflatable diver’s jacket complying with BS EN 12628:1999;’.

5 Amendment of s 31 (Safety equipment for recreational ship operating in partially smooth waters and beyond)

Section 31(2)(c), ‘1988’—

omit, insert—

‘2004’.

6 Amendment of s 32 (Exception for anyone on recreational ship wearing wet suit and diver’s jacket)

(1) Section 32, heading—

omit, insert—

‘32 Exception for person on recreational ship wearing diver’s jacket’.

(2) Section 32, from ‘a wet suit’—

omit, insert—

‘an inflatable diver’s jacket complying with BS EN 12628:1999.’.

7 Amendment of s 38 (Safety equipment for tender operating in partially smooth waters and beyond)

Section 38(4)(c), ‘1988’—

omit, insert—

‘2004’.

8 Amendment of s 39 (Exception for person on tender wearing wet suit and diver’s jacket)

(1) Section 39, heading, ‘wet suit and’—

omit.

(2) Section 39, from ‘a wet suit’—

omit, insert—

‘an inflatable diver’s jacket complying with BS EN 12628:1999.’.

9 Amendment of s 44 (Accreditation as a ship designer, ship builder or marine surveyor)

Section 44(2), from ‘the *Transport*’—

omit, insert—

‘a standard made for this section.’.

10 Omission of pt 12 (Repeal)

Part 12—

omit.

11 Insertion of new s 237

Part 11, division 4, after section 236B—

insert—

‘237 Transitional provision for the Transport Operations (Marine Safety—Accreditation as Ship Designer, Ship Builder or Marine Surveyor) Standard 2006

- ‘(1) The interim standard as in force immediately before its repeal continues to apply to the following—
- (a) a person who, immediately before 1 March 2006, was accredited as a ship designer, ship builder or marine surveyor and the person’s accreditation;
 - (b) a person whose accreditation application or renewal application, made before 1 March 2006, had not been finally dealt with before that day and the person’s accreditation application or renewal application;
 - (c) a person who, before 1 March 2006, started a course of study at an educational institution for a qualification, or an apprenticeship to qualify, for accreditation as a ship designer, ship builder or marine surveyor and an accreditation application made by the person after that day.
- ‘(2) If, on or after 1 March 2006, a person mentioned in subsection (1) makes a renewal application—
- (a) the 2006 standard, other than sections 7, 8 and 9,¹ applies in relation to the renewal application; and
 - (b) the person must satisfy the general manager that the person qualifies for renewal under the remaining provisions of the 2006 standard.
- ‘(3) Subsections (1) and (2) apply despite the 2006 standard.
- ‘(4) In this section—
- 2006 standard** means the *Transport Operations (Marine Safety—Accreditation as Ship Designer, Ship Builder or Marine Surveyor) Standard 2006*.
- accreditation application** means an application for accreditation under section 44 as a ship designer, ship builder or marine surveyor.

¹ Sections 7 (Specific requirements for ship designers), 8 (Specific requirements for ship builders) and 9 (Specific requirements for marine surveyors)

interim standard means the *Transport Operations (Marine Safety—Qualifications for Accreditation for Ship Designers, Ship Builders and Marine Surveyors) Interim Standard (No.2) 2005*.

renewal application means an application under section 156 for renewal of accreditation as a ship designer, ship builder or marine surveyor’.

12 Amendment of sch 1 (Standards)

- (1) Schedule 1, item 6, ‘1988’—

omit, insert—

‘2004’.

- (2) Schedule 1, item 12—

omit, insert—

‘12 BS EN 12628:1999 (Diving accessories. Combined buoyancy and rescue devices. Functional and safety requirements, test methods)’.

ENDNOTES

- 1 Made by the Governor in Council on 23 February 2006.
- 2 Notified in the gazette on 24 February 2006.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of Transport.