

## NT Fishing Tour Operator Manning Level Review

### 1. Stakeholders:

The review will be conducted by Mr Roger Timms, who will consult with stakeholders from the Department of Fisheries, NT Police Fire and Emergency Services, Tourism NT, the NT Fishing Tour Operators Association, the Amateur Fishermen's Association of the NT, and fishing tour operators.

### 2. Review Scope:

To develop a consistent risk based policy approach to manning of fishing tourism charter vessels in the Northern Territory through

- a comprehensive examination and analysis of current policy, practice and procedures in relation to minimum manning requirements for Fishing Tour Operators (FTO's),
- consideration of the minimum requirements in the USL code,
- the development of a list of safety risks to be considered when assessing manning requirements,
- agreement on mitigating actions that can be put in place to address the risks, and
- confirmation of an agreed approach, and development of Guidance Note in relation to Safety Manning for FTO's.

### 3. Act and Regulations Determining Safety Manning in the NT:

Section 25 (1) of the NT Marine Act - Attached  
Marine (Safety Manning) Regulations - Attached  
USL Code section 2 part 4, Clause 34, 35 and 36 (minimum safety manning of trading vessels) - Attached

### 4. NT Safety Manning Determinations Forms and Guidance Notes:

Request for Determination of Safety Manning Level  
Guidance Note No: 24/96  
Guidance Note No: 25/96  
Guidance Note No: 33/98  
Guidance Note No: 42/99  
All are attached.

### 5. Current Risk Based Assessment for Fishing Tour Operators:

Before a manning determination is issued for FTO's a risk assessment is undertaken by the Department's nautical and survey staff in relation to the type of vessel, area of operation, requirements of the USL Code and consideration of the determinations imposed on operators of similar vessels and operations. The issues taken into account in assessing safety risks include:

- the nature of the coastline in the area of operation and its exposure to wind and sea conditions and sudden weather and sea condition changes which occur;
- the lack of guaranteed search and rescue assistance in the area, especially in deteriorating weather and light conditions;

- the possibility of both injury or fatigue on or to a single Coxswain prosecuting a voyage
- the potential lack of any nautical or local knowledge by clients, especially those from interstate or overseas should a mishap occur;
- the existing manning precedents set for other vessels of similar characteristics operating in the same or similar areas;
- the high profile nature of tourism fishing charter operations and its considerable patronage by interstate and overseas clients; and
- radio/telephone communication in the area.

# NORTHERN TERRITORY OF AUSTRALIA

## MARINE ACT

As in force at 17 May 2007

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## **Division 2            Manning of Vessels**

### **25            Vessels to be properly manned**

- (1) Subject to this section, neither the owner nor the master of a vessel may send or take the vessel to sea or permit the vessel to remain at sea with a lesser number of certificated and uncertificated persons on board than that required by the Regulations, being persons having the designation, class or grade so required.

Penalty:        100 penalty units.

- (2) The owner or the master of a vessel may send or take a vessel to sea from a place, with the written approval of a shipping officer or surveyor, notwithstanding that it carries fewer certificated or uncertificated persons than the number prescribed in respect of that vessel.
- (3) A shipping officer or surveyor shall not grant an approval referred to in subsection (2) unless he is satisfied that:
- (a) the safety of the vessel and the person on board the vessel will not be endangered by reason of its carrying fewer persons than the prescribed number;
  - (b) the number of certificated persons required to make up that prescribed in respect of the vessel is not available for employment at the place at which the vessel is; and
  - (c) it would be unreasonable to require the owner to make up the prescribed number with certificated persons employed from another place.

### **26            Watch keeping**

Subject to the Regulations, neither the owner nor the master of a vessel shall permit a person to be placed in charge of:

- (a) a navigation watch;
- (b) the operation of the main propulsion machinery of the vessel;  
or
- (c) a radio watch,

unless that person is the holder of a qualification prescribed in respect thereof.

Penalty:        50 penalty units.

NORTHERN TERRITORY OF AUSTRALIA

MARINE (SAFETY MANNING) REGULATIONS

As in force at 2 April 2001

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# NORTHERN TERRITORY OF AUSTRALIA

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This reprint shows the Regulations as in force at 2 April 2001. Any amendments that commence after that date are not included.

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## MARINE (SAFETY MANNING) REGULATIONS

### Regulations under the *Marine Act*

#### 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.

**section**, **clause** and **subclause** mean a section, clause and subclause of the Code.

**vessel** means a vessel other than a vessel that is:

- (a) a hire and drive vessel;
- (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;
- (da) a fishing vessel that is less than 6.2 metres in length that is operating in conjunction with a mother vessel and is within 5 nautical miles of the mother vessel;

- (db) a fishing vessel that is less than 6.2 metres in length that is operating within 5 nautical miles of the coast;
- (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, part 4 of section 2 and part 4 of section 3 extends and applies to all vessels.

### **5           Construction of Code**

In construing part 4 of section 2 and part 4 of section 3:

- (a) the definitions contained in sections 1, 2 and 3 shall be read subject to the Act and these Regulations;
- (b) references to **Authority** shall, in relation to the Territory, be read as referring to the Department primarily responsible to the Minister for the administration of the Act;
- (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**

The number of certificated and uncertificated persons required to be on board a vessel for the purposes of section 25 of the Act shall be determined by the Authority in accordance with the Code.

### **7           Review**

Where the owner of a vessel is dissatisfied with the determination of the Authority of the number of certificated and uncertificated persons required to be on board in relation to the vessel, he or she may, not later than 28 days after the date of the determination, request the Director to review the determination.

**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 subclause 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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**ENDNOTES**
**1 KEY**

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

**2 LIST OF LEGISLATION*****Marine (Safety Manning) Regulations (SL No. 14, 1982)***

Notified	12 March 1982
Commenced	31 March 1982 ( <i>Gaz G12</i> , 26 March 1982, p 4)

***Amendments of the Marine (Safety Manning) Regulations (SL No. 35, 1991)***

Notified	10 July 1991
Commenced	28 August 1991 ( <i>Gaz G34</i> , 28 August 1991, p 2)

***Amendment of Marine (Safety Manning) Regulations (SL No. 9, 2001)***

Notified	2 April 2001
Commenced	2 April 2001

**3 LIST OF AMENDMENTS**

r 3	amd No. 35, 1991, r 3; No. 9, 2001
r 4	amd No. 35, 1991, r 4
r 5	amd No. 35, 1991, r 5
rr 6 – 7	sub No. 35, 1991, r 6
sch	rep No. 35, 1991, r 7

30 *Section 2*

- 9 months watchkeeping on vessels of 3000kW propulsion power or more of the kind (steamships or motorships) to which the certificate applies.

33.4 An applicant shall satisfy the Authority as to competence in the areas of knowledge and skill appropriate to the functions of the certificate determined according to part 4 (Manning) of this Section.

NOTE: Areas of knowledge and skill are established in courses of study and training approved by the Authority issuing the certificate and which meet the relevant requirements of Chapter III of the Annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978.

**PART 4 MINIMUM SAFETY MANNING OF TRADING VESSELS**

34. **Interpretation**

In this Part, unless expressly provided otherwise;

- (a) Certificate means a certificate issued or recognised in accordance with Part 2;
- (b) Master means the person having command of the vessel;
- (c) Chief Mate means the person next in rank to the master and upon whom the command of the vessel will fall in the event of the incapacity of the master;
- (d) Deck Watchkeeper means the person in charge of the navigational watch;
- (e) Chief Engineer means the senior person responsible for the mechanical propulsion of the vessel;
- (f) Second Engineer means the person next in rank to the chief engineer and upon whom the responsibility for the mechanical propulsion of the vessel will fall in the event of the incapacity of the chief engineer;
- (g) Engineroom Watchkeeper means the person in charge of the engineroom watch;
- (h) Propulsion power;
  - (i) In the case of a multiscrew vessel of less than 35 metres in length for use in sheltered waters, inshore, restricted offshore or offshore operations, propulsion power means the maximum continuous rated power in kilowatts of the larger engine provided for the propulsion of the vessel by one screw; and
  - (ii) In the case of a vessel not included in (i) above, means the total maximum continuous rated power in kilowatts of all the machinery provided for propulsion of the vessel.

35. **Requirements**

The Authority having jurisdiction over a vessel shall determine the minimum safety manning of a vessel and in so doing;

- (a) Shall require that it be under the command of a master, being the holder of a certificate of an appropriate grade;
- (b) May require that it be manned by additional personnel, both certificated and uncertificated, having regard to the type and size of the vessel and the intended area of operation. In so requiring, the Authority shall have regard to 37 below when determining the certificated personnel required.

36. **Dispensation**

An Authority may provide for the issue of a dispensation from its prescribed manning permitting an adequately qualified and experienced person to serve in a specified vessel for a specific period. For service in vessels engaged in seagoing operations a dispensation for a master or chief engineer shall be for the shortest possible period and only for circumstances of force majeure, and for any other person shall not exceed six months.

37—PARTICULAR PROVISIONS  
TRADING VESSEL—MINIMUM CERTIFICATION REQUIREMENTS

COLUMN 1	COLUMN 2	COLUMN 3	REQUIRED CLASSES OF CERTIFICATION (Note 2)		
Vessel Size	Operational Area (Note 1)	Master	Chief Mate (if required)	Deck Watchkeeper (if required)	
80 metres & over	Unlimited	Master Class 1	Chief Mate Class 1	Second Mate Class 1	
	Australian Coastal & Middle Waters	Master Class 1	Chief Mate Class 1	Second Mate Class 1	
	Offshore	Master Class 1	Chief Mate Class 1	Second Mate Class 1	
	Inshore	Master Class 1	Chief Mate Class 1	Second Mate Class 1	
35 metres and over,	Offshore (vessels less than 120m)	Master Class 2	Chief Mate Class 2	Second Mate Class 2 (Note 4)	
	Unlimited	Master Class 2	Chief Mate Class 2	Second Mate Class 2 (Note 4)	
but less than 80 metres	Australian Coastal & Middle Waters	Master Class 3	Master Class 4	Mate Class 4	
	Offshore	Master Class 3	Mate Class 4	Mate Class 4	
	Inshore	Master Class 4	Master Class 5	—	
24 metres and over, but less than 35 metres	Unlimited	Master Class 3	Master Class 4	Mate Class 4	
	Australian Coastal & Middle Waters	Master Class 4	Master Class 5	—	
	Offshore	Master Class 4	Master Class 5	—	
	Inshore	Master Class 4	Master Class 5	—	
12 metres and over, but less than 24 metres	Unlimited	Master Class 3	Master Class 4	Mate Class 4	
	Australian Coastal & Middle Waters	Master Class 4	Master Class 5	—	
	Offshore (200nm)	Master Class 5	—	—	
	Offshore (100nm)	endorsed (note 3)	—	—	
	Inshore	Master Class 5	—	—	
Less than 12 metres	Unlimited	Master Class 3	Master Class 4	Mate Class 4	
	Australian Coastal & Middle Waters	Master Class 4	Master Class 5	—	
	Offshore (200nm)	Master Class 5	—	—	
	Offshore (100nm)	endorsed (note 3)	—	—	
-	Inshore	Master Class 5	—	—	
	Offshore (15nm)	Coxswain	—	—	

Note 1: For sheltered (including Inland) Waters operations, requirements are as for Inshore operations.  
 Note 2: When determined by an authority both deck and engineering certificates may be held by one person.  
 Note 3: Endorsement to 200nm issued on completion of examination in Navigation and Position Determination of Master Class 4.  
 Note 4: Master Class 3 may be accepted as alternative to Second Mate Class 2.

37—PARTICULAR PROVISION  
TRADING VESSEL—MINIMUM CERTIFICATION REQUIREMENTS

COLUMN 1	COLUMN 2	COLUMN 3	REQUIRED CLASS OF CERTIFICATION (Note 2)
Propulsion Power	Operational Area (Note 1)	Chief Engineer (if required)	Second Engineer (if required)
Vessels of 1500 kW and over	Unlimited Australian Coastal & Middle Water Offshore (200nm) Inshore	To be determined by the Authority To be determined by the Authority Class 2 Class 2	Watchkeeper Watchkeeper — —
Vessels of 750 kW and over but less than 1500 kW	Unlimited Australian Coastal & Middle Water Offshore (200nm) Restricted Offshore (30nm)	To be determined by the Authority Class 3 Class 3 MED 1	— — — —
Vessels of 500 kW and over, but less than 750 kW	Unlimited Australian Coastal & Middle Water Offshore (200nm) Inshore	To be determined by the Authority MED 1 MED 1 MED 2	— — — —
Vessels of 250 kW and over but less than 500 kW	Unlimited Australian Coastal & Middle Water Offshore (200nm) Inshore	To be determined by the Authority MED 1 MED 2 MED 3	— — — —
Vessels less than 250 kW	Unlimited Australian Coastal & Middle Water Offshore (100nm) Inshore (vessels less than 12m)	To be determined by the Authority MED 2 MED 3 MED 3/COXSWAIN	— — — —

Note 1: For Sheltered (including Inland) Waters operations, requirements are as for inshore operations.  
Note 2: When determined by an authority both deck and engineering certificates may be held by one person.

To: Director Transport Safety  
 Marine Safety Branch  
 GPO BOX 2520  
 DARWIN NT 0801



DEPARTMENT OF  
 LANDS AND PLANNING

www.nt.gov.au

Phone: (08) 8924 7100  
 Fax: (08) 8924 7009  
 Email: marinesafety@nt.gov.au

**TRANSPORT SAFETY**

**REQUEST FOR THE DETERMINATION OF SAFETY MANNING LEVEL**

Vessel Name:

Name and Address of Owner(s)

Measured Length:	Metres	Class of Vessel	Daylight operations Yes/No only
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No. of Passengers:	No. of Crew:
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Main Propulsion Engines:	One or Two	Diesel/Petrol	Inboard/Outboard
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Maximum continuous rated power of each engine: KW

**PROPOSED TYPE OF OPERATION:**

**PROPOSED AREA OF OPERATION:**     200 nm     100 nm     30 nm     15 nm

All Sheltered Waters     Port of Darwin Only     Inland Waters     Other  
 .....

Proposed normal duration of voyage	hours	The longest intended duration of voyage	hours
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**PROPOSED MANNING (Include No. of crew and qualifications)** Please note: If your vessel is less than 24 metres in length and you are proposing a crew member to hold dual qualification (Deck and Engineer) you are required to submit a copy of the General Arrangement Plan of the vessel with this request.

Signed:	Date:
---------	-------

Full Name:	Telephone No:
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**OFFICE USE ONLY**

**Recommended Manning**

**Examples of Previous Determinations**

Senior Nautical Adviser	Signature	Date...../...../.....
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Agree/Disagree – PMS	Agree/Disagree – MS
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Agree/Disagree – SMS

**Meeting required**     YES     NO    initials .....

Determination completed. Action by	...../...../.....
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GUIDANCE NOTE No: 24/96

REVISION No: 6

## Queensland Vessels – Requirements for Commercial Operation Subject to the Northern Territory Marine Act

A vessel is required to have a valid northern Territory Certificate of Survey otherwise the owner is in breach of the *Northern Territory Marine Act* and is open to prosecution. Detailed below are the requirements for recognition of Queensland certificates of survey for operations subject to the *Northern Territory Marine Act*.

### 1. Vessels with a valid Queensland “Certificate of Registration” or “Certificate of Survey”

#### (a) Queensland Certificate of Registration

**Certificates of Registration** are not recognised in the Northern Territory. The owner has two choices, if the vessel holds a Certificate of Registration:

- (i) the owner should ask a Queensland Government Accredited Surveyor to survey the vessel to the requirements of USL Code. The accredited surveyor will lodge the appropriate declaration with the Queensland Department of Transport in order that the owner can be issued with a Certificate of **Survey** by Queensland Transport. Any fees for survey, transportation and accommodation will be borne by the owner of the vessel.
- (ii) If the vessel is to be surveyed in Queensland the owner can approach the NT Department of Lands and Planning, Marine Safety Branch and apply for Northern Territory Survey by filling out relevant application forms. All fees for survey plus transport and accommodation costs and 92 Revenue Units per working hour, will be borne by the owner of the vessel. Surveys outside of the Northern Territory are subject to the availability of an NT surveyor. **1 Revenue Unit = \$1.00**

#### (b) Queensland Certificate of Survey

***Vessels with exemptions shown on a Certificate of Survey may not be accepted in NT. It is advised that approval of these exemptions must be obtained from the Marine Safety Branch, NT Department of Planning and Infrastructure, prior to purchase/transfer of vessels.***

*For example; some fixed fire extinguishing systems have been accepted by some States, but not approved. These systems will not be accepted by the NT.*

Queensland certificates of survey that show shaft surveys as due or N/A will be required to have shaft surveys completed before recognition is granted.

Additionally vessels may need to:

- be fitted with a 406 MHz EPIRB to AS/NZS 4280. Expiry date of battery must be valid for period of survey and must be registered with AusSAR (Australian Search and Rescue). 406 MHz beacon registration advice: Telephone: 1800 406 406 or (02) 6279 5766, Facsimile: (02) 6230 6868, Website: <http://beacons.amsa.gov.au/>; and
- have a radio fitted and the radio surveyed (which Queensland may **not** have asked for) prior to operating in Northern Territory waters.

Trading vessels under 7 metres **must** comply with Guidance Notes 4/94 and 7/94.

## 2. Vessels constructed in Queensland for Northern Territory operators

Owners have two alternatives:

### EITHER:

- (a) Ensure that the builder/designer is accredited by Maritime Safety, Queensland Department of Transport (Ph: 07 312 073 64) and will obtain the appropriate Certificate of **Survey**. This Certificate of Survey will be generally recognised in the NT for the same class of operations. It will be in owner's interest to verify with the NT Marine Safety Branch the suitability of their vessel **prior** to finalising their purchase/transfer as restrictions on minimum length, area of operation etc. apply in Northern Territory.

Trading vessels under 7 metres **must** comply with Guidance Notes 4/94 and 7/94.

*Vessels coming with exemptions shown on a Certificate of Survey may **not** be accepted in NT. It is advised that approval of these exemptions must be obtained from the Marine Safety Branch, NT Department of Planning and Infrastructure, prior to purchase/transfer of vessels.*

### OR:

- (b) Surveyors of the Northern Territory Marine Safety Branch can conduct surveys at Queensland boat yards. Prospective owners are advised to contact this office **before** building commences to enable plan approvals and finalising procedure for surveys, visits to Queensland etc to be finalised.

In addition to survey fees plus 92 Revenue Units per working hour for time out of NT, all expenses for visits to Queensland including airfares, accommodation etc will be at the owners expense.

***Vessels coming with exemptions shown on a Certificate of Survey may not be accepted in NT. It is advised that approval of these exemptions must be obtained from the Marine Safety Branch, NT Department of Planning and Infrastructure, prior to purchase/transfer of vessels.***

Note: Fees include GST where applicable.

### **SAFETY MANNING**

***Fishing Vessels*** – are required to be manned in accordance with Section 3 of the Uniform Shipping Laws (USL) Code. (See Guidance Note No. 28/96).

***Trading Vessels*** – owners need to apply to this office for a Determination of the Safety Manning level for the vessel prior to operating in Northern Territory Waters. Persons in charge of either the navigation watch and/or the machinery are required to hold the appropriate Certificate of Competency either issued or recognised by the Marine Safety Branch.

Signed by: Sri Srinivas  
Date Issued: 18/11/2008

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**For further information contact Marine Safety Branch:**

2nd Floor, Energy House, 18-20 Cavenagh, Darwin NT 0800, GPO Box 2520, Darwin NT 0801

Telephone: 08 8924 7100, Facsimile: 08 8924 7009

Email: [marinesafety@nt.gov.au](mailto:marinesafety@nt.gov.au)

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GUIDANCE NOTE No: 25/96

REVISION No: 3

## Charter Fishing and Tourist Operations - Vessels Less than 12 metres and Carrying Not more than 12 Passengers

This Guidance Note is intended to briefly describe survey and manning requirements for charter fishing and other tourist carrying vessels operating in sheltered and Inshore Waters (within 15 nautical miles of the coast including islands). All items **not** covered under this guidance note are to comply with USL code requirements. Hire and Drive vessels are **not** covered by these guidelines.

For operations outside sheltered waters, vessels must be a minimum of 7 metres in length (USL Code). The length is measured on the deck and **excludes** appendages like bowsprits, small pods, etc, (refer GN19/95). The vessel will need to meet USL Class 2C survey requirements for the total number of persons to be carried (includes passengers and crew). Vessels for overnight use will need to have adequate bunks, one per person, and at least one washbasin, a shower and a toilet. Vessels operating within 20 nautical miles of Darwin Radio **may be** allowed with a VHF radio in survey but vessels intending to operate outside this limit **will need** to be equipped with a HF SSB radio in survey (refer GN23/96).

For operations within sheltered water limits, vessels may be less than 7 metres in length and will need to comply with GN4/94 and GN7/94.

Vessels less than 5 metres in measured length (for open and well decked vessels length is measured at top of gunwale) operating in declared sheltered waters and carrying **not** more than 4 persons (crew plus passengers) are exempt from survey and manning requirements but **need** to carry basic safety equipment (refer GN8/94).

Prospective buyers of vessels greater than 7 metres in length need to ensure that the vessel has a valid survey certificate or can meet survey requirements for the intended area of operation and total number of persons to be carried. A vessel which is constructed of steel or aluminium and has **never** been in survey is usually easier to bring into survey than a FRP/GRP or timber vessel which has **never** been in survey due to difficulties in making a structural assessment. FRP/GRP **or** timber vessels which have never been in survey are **not** likely to be allowed beyond declared sheltered waters.

Prospective vessel owners may contact the Marine Safety Branch before **or** after buying the vessel. If requested, after receipt of a completed application for initial survey form and payment of fees, a surveyor will conduct an initial survey and provide a list of deficiencies which need rectification before a certificate of survey can be issued. **It is recommended that the above procedure be followed prior to finalising purchase.** If the owner decides to proceed with

survey after initial survey, fees for stability approval, inclining test, and stability assessment are applicable.

Vessels from other States with valid certificates of survey will be recognised for the same "class of operations" 2E, 2D, 2C or 2B **only** and **not** necessarily for similar **area** of operations. This is because some States have declared large areas of open sea as Sheltered Waters. For example, a vessel with a Queensland Class 2D certificate for operations within 20 nautical miles of Cairns will **not** be allowed to go outside of the Port of Darwin limits. Additionally, 2C and 2B vessels will need to be fitted with radios in survey and carry a 406 MHz EPIRB to AS/NZS 4280 requirements.

Masters of vessels less than 12 metres in length with propulsion machinery less than 250KW, operating within 15 nautical miles of the coast, are required to hold a Certificate of Competency as Coxswain. Restricted Coxswain certificates may be issued where vessels operate within specific Inland Waters. For details of prerequisites please contact this office on 89 995285.

Copies of Guidance Notes and schedules of safety equipment are also available from the Marine Safety Branch office.

**PLEASE NOTE:** Charting Fishing operators are also required to obtain Fishing Tour Operators Licence issued under the *Northern Territory Fisheries Act*. Please contact the Fisheries licensing section for more details - telephone 08 89992183.

Any enquiries should be directed to a Marine Surveyor.

Signed by: Sri Srinivas  
Date Issued: 28/11/08

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**For further information contact Marine Safety Branch:**

2nd Floor, Energy House, 18-20 Cavenagh, Darwin NT 0800, GPO Box 2520, Darwin NT 0801

Telephone: 08 8924 7100, Facsimile: 08 8924 7009

Email: [marinesafety@nt.gov.au](mailto:marinesafety@nt.gov.au)

<http://www.nt.gov.au/dpi/>

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GUIDANCE NOTE No: 33/98

REVISION No: 1

## Schedule of Gazetted Sheltered Waters (Smooth and Partially Smooth Waters) as at 16 December 2003

SMOOTH WATERS	
AREA	DATE GAZETTED
<p><b>Bathurst Island - Gullala Creek</b></p> <p>All waters enclosed by a line from a position latitude 11° 30.85' south longitude 130° 11.7' east to a position latitude 11° 30.50' south longitude 130° 11.7' east.</p>	12 November 1986
<p><b>Bathurst Island - Perarkery Creek</b></p> <p>All waters enclosed by a line from a position latitude 11° 42.25' south longitude 130° 08.5' east to a position latitude 11° 42.45' south longitude 130° 08.6' east.</p>	12 November 1986
<p><b>Dalywoi Bay</b></p> <p>All waters enclosed by a line from a point in latitude 12° 20.85' south longitude 136° 55.3' east in a direction 000° (T) to a point in latitude 12° 20.65' south longitude 136° 55.3'</p>	12 November 1986
<p><b>All inland waters</b></p>	20 October 1993
<p><b>All waters of estuaries, rivers, creeks and inlets, where the mouth of the estuary, river, creek or inlet is -</b></p> <p>(a) more than 2 nautical miles wide, landward of 2 imaginary lines, each being one nautical mile long, running perpendicularly from opposite banks from the point at the height of the tide at the time of mean low water mark to the point where the lines meet; or</p> <p>(b) less than 2 nautical miles wide, landward of an imaginary line running across the mouth contiguous with the coastline but not including those waters which would otherwise be partially smooth waters.</p>	20 October 1993

<b>PARTIALLY SMOOTH WATERS</b>	
<p><b>Bathurst Island - Port Hurd</b></p> <p>All waters enclosed by a line from a position latitude 11° 38.70' south longitude 130° 11.40' east to a position latitude 11° 39.15' south longitude 130° 11.7' east.</p>	12 November 1986
<p><b>Bynoe Harbour</b></p> <p>All waters enclosed by a line in a direction 280° (T) from East Point (Burge Point) in position latitude 12°34.13' south longitude 130°33.88' east to West Point (Unjin Point) in position latitude 12°33.60' south longitude 130°30.95' east and by a line in a direction 223° (T) from Hut Point in position latitude 12°35.08' south longitude 130°29.15' east to a position in latitude 12°38.18' south longitude 130°26.22' east.</p>	12 November 1986
<p><b>Dalywoi Bay</b></p> <p>All waters enclosed by a line from Needle Point latitude 12°19.5' south longitude 136° 56.4' east in a direction 131° (T) to a point in latitude 12° 20.65' south longitude 136° 57.7' east to the limits of the declared smooth waters area.</p>	12 November 1986
<p><b>Gove Harbour</b></p> <p>All waters enclosed by a line from Wargarpunda Point latitude 12°11' south longitude 136°41' east in a direction 268½°(T), to a point in latitude 12°11.1' south longitude 136°35.7' east.</p>	12 November 1986
<p><b>Port Bradshaw</b></p> <p>All waters enclosed by a line from Gwapillina Point latitude 12°33.5' south longitude 136°46.2' east in a direction 270°(T) to a point in latitude 12°33.5' south longitude 136°45.1' east.</p>	12 November 1986
<p><b>Port Essington – Cobourg Peninsular</b></p> <p>All waters enclosed by a line from Smith Point latitude 11°07.22' south longitude 132°08.32' east to Gunner Quoin latitude 11°11.00' south longitude 132°01.80' east.</p>	12 November 1986

<b>PARTIALLY SMOOTH WATERS</b>	
<p><b>Vanderlin Island</b></p> <p>All waters on the landward side of an imaginary line connecting the following geographical locations:</p> <p>Latitude 15°57.3' South, Longitude 137°07.2' East;  Latitude 15°46.7' South, Longitude 137°07.2' East;  Latitude 15°36.7' South, Longitude 137°05.9' East;  Latitude 15°29.6' South, Longitude 136°53.5' East;  Latitude 15°29.6' South, Longitude 136°51.5' East;  Latitude 15°34.5' South, Longitude 136°42.5' East;  Latitude 15°34.5' South, Longitude 136°37.7' East;  Latitude 15°30.0' South, Longitude 136°37.7' East;  Latitude 15°30.0' South, Longitude 136°28.4' East;  Latitude 15°40.5' South, Longitude 136°28.4' East.</p>	20 April 1988
<p><b>NT Coast</b></p> <p>One (1) nautical mile seawards from the mean low watermark on the coast (including the coasts of islands)</p>	6 July 1988
<p><b>Port Bremer - Cobourg Peninsula</b></p> <p>All waters of Port Bremer lying to the South of an imaginary line joining Kuper Point (Latitude 11°11.0' South, Longitude 132°13.75' East) and Edwards Point (Latitude 11°10.7' South, Longitude 132°15.9' East).</p>	22 July 1992
<p><b>Raffles Bay - Cobourg Peninsula</b></p> <p>All waters of Raffles Bay lying to the South of an imaginary line joining High Point (Latitude 11°12.8' South, Longitude 132°26.2' East) and a point on the Western coastline of Raffles Bay having a Latitude 11° 10.6' South, and a Longitude of 132°21.7' East.</p>	22 July 1992
<p><b>Port of Darwin</b></p> <p>All waters in the Port of Darwin landward of an imaginary line running approximately west by south-west from Lee Point to Charles Point.</p>	20 October 1993
<p><b>Junction Bay</b></p> <p>All waters of Junction Bay lying to the South of an imaginary line joining Braithwaite Point, (Latitude 11°46.4' South, Longitude 133°56.4' East) and Goomadeer Point (Latitude 11°51.5' South, Longitude 134°02.0' East).</p>	15 April 1998

<b>PARTIALLY SMOOTH WATERS</b>	
<p><b>Haul Round Island</b></p> <p>All waters on the landward side of an imaginary line connecting the following geographical locations:</p> <p><b>Goomadeer Point</b> - Latitude 11°51.5' South, Longitude 134°02.0' East.</p> <p><b>A point at sea</b> - Latitude 11°51.5' South, Longitude 134°12.5' East.</p> <p><b>Skirmish Point</b> - Latitude 11°59.0' South, Longitude 134°17.1' East.</p>	15 April 1998
<p><b>Boucaut Bay, Milingimbi Inlet and Castlereagh Bay</b></p> <p>All waters on the landward side of an imaginary line connecting the following geographical locations:</p> <p><b>Skirmish Point</b> - Latitude 11°59.0' South, Longitude 134°17.1' East.</p> <p><b>A point at sea</b> - Latitude 11°55.0' South, Longitude 134°45.0' East.</p> <p><b>A point on Mjrunnga Island</b> - Latitude 11°55.5' South, Longitude 135°07.0' East.</p> <p><b>A point on Elcho Island</b> - Latitude 12°01.5' South, Longitude 135°34.0' East.</p>	07 February 2000

**For further information contact Marine Safety Branch:**

2nd Floor, Energy House, 18-20 Cavenagh, Darwin NT 0800, GPO Box 2520, Darwin NT 0801

Telephone: 08 8924 7100, Facsimile: 08 8924 7009

Email: [marinesafety@nt.gov.au](mailto:marinesafety@nt.gov.au)

<http://www.nt.gov.au/dpi/>

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**GUIDANCE NOTE NO: 42/99**

**REVISION NO: 8**

## Requirements for Commercial Vessel Operations – Vessels with Certificates issued by other Marine Authorities

Owners are advised that if a vessel is to commence operations subject to the Northern Territory Marine Act, the vessel is required to hold a valid Certificate of Survey (*Northern Territory Marine Act Section 79*).

Certificates of Survey issued by other Marine Authorities **may be accepted however the following are required** before a reciprocal certificate can be issued:

1. Provision of a valid Certificate[s] of Survey: **See notes A and B below;**
2. Completion of the attached Application for Issue of a Reciprocal Certificate of Survey;
3. Payment of a fee of 58 Revenue Units for each reciprocal certificate. The payment method form details payment options. **1 Revenue Unit = \$1.00**

**NOTE A.** Vessels with exemptions, conditions and/or restricted areas of operation shown on a Certificate of Survey **may not be accepted** for operations subject to the NT Marine Act. It is recommended that **approval** of these exemptions, conditions and/or restricted areas of operation be obtained from the Marine Safety Branch **prior** to the purchase/transfer of any vessel.

**NOTE B.** The due dates for annual, hull, shaft and radio surveys should be shown on the certificate of survey together with the due dates of the next compass adjustment and life raft service.

4. In addition to the above the following are also required:

State	Additional Requirements
Queensland	Refer to Guidance Note 24/96 – Queensland Vessels
Western Australia	<ul style="list-style-type: none"> <li>• Nil</li> </ul>
New South Wales	<ul style="list-style-type: none"> <li>• Copy of a current Radio Survey</li> </ul>
Victoria	<ul style="list-style-type: none"> <li>• Copy of a current Radio Survey</li> </ul>
South Australia	<ul style="list-style-type: none"> <li>• Certificates of Survey for fishing vessels will only be recognised for one year from the date of issue.</li> </ul>
Tasmania	<ul style="list-style-type: none"> <li>• Copy of a current Radio Survey</li> </ul>

State	Additional Requirements
Commonwealth[AMSA]	<ul style="list-style-type: none"> <li>• Copies of following, current <b>Convention</b> Certificates including latest annual endorsements issued by AMSA <u>or</u> by an "Overseas Marine Administration" <u>or</u> by an AMSA authorised classification society[ ABS, BV, DNV, GL, LRS, and NKK] <ul style="list-style-type: none"> <li>➤ Cargo Ship Safety Construction</li> <li>➤ Cargo Ship Safety Equipment</li> <li>➤ Radio</li> <li>➤ International Oil Pollution Prevention</li> <li>➤ Load Line</li> <li>➤ Tonnage etc.</li> </ul> </li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• USL Code Certificate of Survey and Record of Safety equipment etc. issued by AMSA <u>or</u> by an AMSA authorised classification societies [ABS, BV, DNV, GL, LRS, NKK].</li> </ul> <p><b>Note:</b> <i>Some of the above certificates may be issued for more than 1 year validity and require annual endorsements which must be submitted.</i></p> <p><b><u>[e.g. 5year] and require annual endorsements'; copies of these annual endorsements will need to be provided for recognition.</u></b></p>

## SAFETY MANNING

**Fishing Vessels** – must be manned in accordance with Section 3 of the Uniform Shipping Laws (USL) Code. Refer to Guidance Note 28/96.

**Trading Vessels** – owners must apply to this office for a Determination of the Safety Manning level for the vessel prior to commencing operations.

Persons in charge of either the navigation watch and/or the machinery on a vessel must hold appropriate Northern Territory Certificates of Competency or apply for reciprocal recognition of Certificates of Competency issued by other Marine Authorities.

For further information please telephone (08) 89247100

Signed by: Sri Srinivas  
Date Issued: 11/11/2009

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2nd Floor, Energy House, 18-20 Cavenagh, Darwin NT 0800, GPO Box 2520, Darwin NT 0801  
Telephone: 08 8924 7100, Facsimile: 08 8924 7009  
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