



# EXEMPTION

made by the  
**Australian Maritime Safety Authority**

I, David Andrew ANDERSON, Acting Manager, Ship Inspection and Registration, Ship Safety Division and a delegate of the Australian Maritime Safety Authority under section 58 of the Australian Maritime Safety Authority Act 1990, acting under subsection 334(1) of the Navigation Act 2012 exempt the class of person specified in Item 1 of the Schedule from compliance with the provisions of the Navigation Act 2012 specified in Item 2 of the Schedule, subject to the conditions specified in Item 3 of the Schedule.

## Schedule

**(1) Class of person:**

A person required to comply with subsection 7.2 of Marine Order 34 (Solid bulk cargoes) 2007 because the person permits the loading, stowage or carriage of cargo that:

- a. is a solid bulk cargo for which the person has identified the coal schedule in Appendix 1 of the IMSBC Code as being suitable; and
- b. is to be loaded at a port in Australia.

**(2) Provisions of the Navigation Act 2012 from which the person is exempt:**

Subparagraph 7.2(a) and 7.2(b) of Marine Order 34 (Solid bulk cargoes) 2007, to the extent that those provisions apply to the loading, stowage and carriage of coal as a solid bulk cargo.

**(3) Conditions of Exemption:**

- a. The person must ensure that all cargo identified as being coal in solid bulk form is loaded, stowed and carried in accordance with:
  - i. the IMSBC Code; and
  - ii. all provisions of SOLAS Chapter VI that do not mention the IMSBC Code.
- b. The person must ensure that the cargo identified as being coal in solid bulk form is subject to whichever of the following tests and test methods are suitable in the circumstances:
  - i. The tests contained in Appendix 2 of the IMSBC Code; and
  - ii. The approved test for evaluation of liquefaction properties.

In this Exemption, 'IMSBC Code' means the IMSBC Code as defined in Marine Order 34 (Solid bulk cargoes) 2007, as amended by Amendment 02-13 adopted by IMO Resolution MSC.345(92).

For (3)b.ii, the test approved by the Competent Authority for Australia is the *Modified Proctor/Fagerberg Method for Coal* dated 24 November 2014.

This exemption has effect from **12 December 2014**.

This exemption ceases to have effect on **1<sup>st</sup> January 2016**, or when *Marine Order 34 (Solid bulk cargoes) 2007* is repealed, whichever is sooner.

Issued at **Canberra** this **12th** day of **December 2014**.



D.A. Anderson  
A/g Manager Ship Inspection and Registration