
From: Secretariat <Secretariat@amsa.gov.au>
Sent: Monday, 15 August 2022 1:50 PM
To: Consultation <Consultation@amsa.gov.au>
Subject: Consultation - Marine Order 97 Phase 2 and Marine Order 52 [SEC=OFFICIAL]

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OFFICIAL

Dear SCF members

In accordance with the 2022-23 Regulatory Program (available [here](#)), AMSA is reviewing *Marine Order 97 (Marine pollution prevention — air pollution)* (MO97) and *Marine Order 52 (Yachts and training vessels)* (MO52).

AMSA is emailing today to advise of the public consultation period on the proposed revised marine orders, which will run from **16 August to 9 October 2022**.

Further detail is provided below.

Marine Order 97 (Marine pollution prevention — air pollution)

MO97 deals with the prevention of air pollution from vessels and gives effect to the MARPOL Regulations for the Prevention of Air Pollution (MARPOL Annex VI). MO97 applies to Regulated Australian Vessels (RAVs), foreign flagged vessels, recreational vessels and domestic commercial vessels (DCVs).

In March 2022, AMSA completed an initial round of public consultation relating to MO97 to ensure consistency with MARPOL Annex VI. We are now commencing the second round of public consultation to further align MO97 with MARPOL Annex VI and give effect to the new mandatory short-term GHG reduction measure adopted by the International Maritime Organization (IMO).

Through this round of consultation, we are seeking stakeholder feedback on the following key changes:

1. Implementation of the new short-term GHG reduction measure adopted by the IMO that will reduce the carbon intensity of international shipping by at least 40 per cent by 2030, compared to 2008 levels.

The new short-term measure will require specific types of foreign-flagged and commercial Australian vessels on international voyages to make technical energy efficiency improvements under the Energy Efficiency Existing Ship Index (EEXI) framework and operational energy efficiency improvements under the Carbon Intensity Indicator (CII) framework.

More information about the short-term measure can be found on [our website](#).

2. Exemption for unmanned non-self-propelled (UNSP) barges

The updates proposed to MO97 introduce a procedure for granting exemptions to UNSP barges from certain survey and certification requirements relating to the International Air Pollution Prevention Certificate (IAPP).

3. Clarification of application of the EIAPP certification requirements following initial consultation on MO 97

Following the initial round of consultation of MO97, which concluded in March 2022, further refinements to the EIAPP requirements were identified. These refinements confirm ongoing applications of the existing EIAPP certification requirements to recreational vessels and expand the onus on suppliers to provide EIAPP certificates for relevant marine diesel engines to be installed on recreational vessels, aligning the requirements for DCVs.

Marine Order 52 (*Yachts and training vessels*)

MO52 establishes survey, maintenance and certification requirements for regulated Australian vessels (RAVs) and foreign vessels that are yachts or training vessels.

The existing MO52 adopts the Red Ensign Group's (REG) 2013 Large Commercial Yacht Code (LY3 Code). The LY3 Code has been replaced with the REG Yacht Code Part A. The proposed new MO52 incorporates the REG Yacht Code Part A and the accompanying Australian National Annex.

The REG Yacht Code Part A:

- further develops the well-established industry standards of the LY3 Code
- adopts more from industry best practice and provides more flexibility and innovation in yacht design and construction, and
- provides equivalence arrangements for large yachts, under the provisions of the *International Convention on Load Lines 1966*, the *International Convention on Safety of Life at Sea (SOLAS)* and the *International Convention on Standards of Training Certification and Watchkeeping for Seafarers 1978 (STCW)*.

Several other minor and editorial changes have also been made to both marine orders.

AMSA expects the two revised marine orders will take effect on 1 January 2023.

You will also receive an invitation to comment when public consultation commences on 16 August.

Please provide any comments you wish to share to consultation@amsa.gov.au

Regards

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