

FACT SHEET

Marine Safety (Domestic Commercial Vessel National Law Application) Consequential Amendments Bill 2013

The purpose of the Bill is to amend certain Acts and statutory rules consequential on the enactment of the *Marine Safety (Domestic Commercial Vessel National Law Application) Act 2013*.

The *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (the National Law) creates a single national maritime regulator and a national safety system for domestic commercial vessels. This legislation replaces eight existing federal, state and territory regulators with one National Marine Safety Regulator; the Australian Maritime Safety Authority (AMSA). It also replaces 50 pieces of legislation in seven jurisdictions with a single national law, providing clarity and consistency for Australia's seafarers and commercial vessel owners.

The policy basis for the National Law derives from the Council of Australian Governments (COAG) Inter-Governmental Agreement (IGA) on Commercial Vessel Safety Reforms, signed on 19 August 2011. The IGA also determined that the Australian Maritime Safety Authority (AMSA) will be the National Regulator.

The IGA provides that the Commonwealth will apply the National Law to the extent of the Commonwealth's constitutional reach, and each jurisdiction will apply the National Law to any 'gap' in the Commonwealth's constitutional reach. In Tasmania, this is achieved through the *Marine Safety (Domestic Commercial Vessel National Law Application) Bill 2013*. This approach achieves the consistency objective of the IGA.

As a result of applying the national law in Tasmania, a number of consequential amendments need to be made to certain Acts and statutory rules to bring them into line with the National Law. The amendments do not change the purpose or effect of current Tasmanian legislation.