



121

# Facsimile Transmission

Our ref 905/01807  
Your ref  
Date 31 January 2005

<b>Attention</b>	Neville Frost	QB&FP Head Office	3229 6079 ✓
	Peter Tyson-Donnelly	Water Police Head Office	3895 0322 ✓
<b>From</b>	Judith Osborne		
<b>Subject</b>	Exemption Notification		
<b>No of pages</b>	2 (including cover sheet)		

**FAXED**  
31-01-05

Please find following **one** Notification signed by the General Manager, Maritime Safety Queensland.

This Notice is scheduled to appear in the *Queensland Government Gazette* on Friday, 4 February 2005.

Not relevant

Judith Osborne  
**A/Assistant Maritime Officer (Gazettals)**

**IMPORTANT NOTICE CONFIDENTIALITY AND LEGAL PRIVILEGE**

*This facsimile is intended only for the addressee and may contain legally privileged and confidential information. If you are not the addressee you are notified that the transmission, distribution, or photocopying of this facsimile is strictly prohibited. The legal privilege and confidentiality attached to this facsimile is not waived, lost or destroyed by reason of a mistaken delivery to you. If you have received this facsimile in error please immediately notify me by telephone and return the original to me at my address.*

**Executive Services & Compliance Branch**  
GPO Box 2595  
Floor 22 Mineral House  
41 George Street Brisbane  
ABN 13 200 330 520

Enquiries Judith Osborne  
**Telephone +61 7 3120 7467**  
**Facsimile +61 7 3120 7499**  
**Website www.msq.qld.gov.au**  
**Email judith.osborne@msq.qld.gov.au**

**NOTIFICATION OF EXEMPTION**  
*Transport Operations (Marine Safety) Act 1994*  
*Transport Operations (Marine Safety) Regulation 2004*

Maritime Safety Agency of Queensland  
Brisbane, 25 January 2005

**I, Captain Arthur-James Forsyth Diack, Acting General Manager, Maritime Safety Queensland**, pursuant to section 18A of the *Transport Operations (Marine Safety) Act 1994*, exempt the ship detailed in the following schedule, operated by P&O Australian Resorts Pty Ltd, from complying with the provisions of Part 4, Division 2, Subdivision 3, section 88 (2) of the *Transport Operations (Marine Safety) Regulation 2004* relating to the minimum licence required to operate the ship, subject to the following conditions.

**CONDITIONS**

1. The ship must:
  - a. Operate in daylight hours and favourable weather conditions only; and
  - b. Operate in sight of and within 0.5 nautical miles of the Heron Island Resort; and
  - c. Be in constant radio contact with Heron Island Resort.
2. Before a person holding a Coxswain certificate operates the ship, that person must have performed a minimum of ten (10) supervised trips and subsequently be signed off by P&O Australian Resorts Pty Ltd management as being competent for this operation; and
3. This exemption only applies while the ship is operated by P&O Australian Resorts Pty Ltd out of Heron Island Resort.

**SCHEDULE**

13.59 metres aluminium ship *Subsee Explorer II*, 3476QE.

CAPTAIN ARTHUR-JAMES FORSYTH DIACK  
Acting General Manager  
Maritime Safety Queensland