

Frequently asked questions- *Imported boats*

National Standard for the Australian Builders Plate for Recreational Boats - Edition 5

These frequently asked questions (**FAQs**) are provided to assist with the understanding of the Australian Builders Plate Standard – Edition 5 (the Standard) as endorsed in June 2020 and its application.

No guarantees are provided for the accuracy or currency of information contained in this document, nor does it constitute legal advice. It remains the responsibility of a person calculating, fitting or otherwise interacting with an Australian Builders Plate (**ABP**) to ensure they comply with relevant legislation.

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Definitions

ABP – The Australian Builders Plate, which is affixed to recreational vessels as required by the National Standard for The Australian Builders Plate for Recreational Boats.

ABP Standard / the Standard / ABP Standard, Edition 5 (Edition 5) – The National Standard for The Australian Builders Plate for Recreational Boats endorsed by the Transport and Infrastructure Council on 5 June 2020, accessible [here](#):

ABP Standard, Edition 4 (Edition 4) The National Standard for The Australian Builders Plate for Recreational Boats, published on 23 May, 2011 and superseded by Edition 5, accessible [here](#):

ABYC – American Boat and Yacht Council.

ARBSC – The Australian Recreational Boating Safety Committee.

Boat builder – For the purposes of this document, reference to a ‘boat builder’ means a person who holds a responsibility to fix an ABP, unless otherwise specified.

CE – Conformité Européenne (certification marking).

Determining – The process of undertaking measurements, tests and calculations required to establish the information to be listed on an ABP.

HIN – Hull Identification Number.

NMMA – National Marine Manufacturers Association (United States).

Specified Standards / Specified Technical Standards – Documents that determine vessel build standards and associated calculations. These are the three referenced standards in the National Standard for The Australian Builders Plate for Recreational Boats. The specified standards referenced are the relevant Australian Standard (**AS1799**), American Boat and Yacht Council (**ABYC**) Standard and the International Organisation for Standardisation (**ISO**) Standards.

FAQs – Imported boats

***For information about determining and fitting an ABP, please refer to ‘FAQs – Boat Builders’.**

Boat importers – general information

The requirements of the National Standard for the Australian Builders Plate for Recreational Boats apply to both locally built and imported boats.*

A foreign compliance plate is not considered a substitute for an ABP, except for specific exemptions (inflatable vessels and personal watercraft) established in the ABP Standard.

A person importing a recreational boat from another country into Australia must ensure compliance with the ABP standard before the boat is first supplied to the boat’s operator.

The importer is treated as the ‘builder’ for the purpose of complying with the ABP standard and must be a legal entity in Australia. They’re responsible for fitting the ABP to the boat and for the accuracy of the information on it. The importer’s name must be shown on the plate, in place of the builder’s name (although both the builder and importers name may be shown).

If the importer is not a ‘competent person’ for the purposes of determining the information on an ABP, then a competent person should be engaged for this purpose.

Importers are cautioned that it’s their responsibility to verify the accuracy of information determined overseas before placing that information on an ABP. In particular, importers should treat information shown on CE plates with great care. The laws governing the fitting of a CE plate to a boat only apply within the European Union; and in the case of recreational boats, the involvement of a Notified Body is generally required. Unfortunately, the CE system is often misunderstood and misapplied outside Europe. As a result, there have been instances of boats built outside the European Union being fitted with CE plates that contain incorrect information.

If there is any doubt, a local competent person should be engaged to assess the information for the ABP.

***NOTE:**

The *Trans-Tasman Mutual Recognition Act 1997* allows for the importation and sale of New Zealand built vessels into the Australian market, on the condition that the vessels comply with the requirements of the New Zealand market. It's still desirable that New Zealand built vessels are affixed with an ABP when imported into Australia.

Requirement to fit an ABP

1. Do boats built overseas require an ABP to operate in Australia?

In general, regardless of where a boat was built, it will still be required to comply with the ABP standard. If you privately import a boat into Australia, you will be treated as the builder of the boat for the purpose of the ABP legislation and will need to fit an ABP.*

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2. Are US or European compliance plates acceptable as an alternative to an ABP for a typical boat?

No.

Except for the special treatment of inflatable boats and personal watercraft in select circumstances, overseas compliance plates are not acceptable alternatives to ABPs because:

- if the information on the plate proves to be false, a company located overseas may be beyond the reach of the applicable Australian laws;
- CE plates don't include all the information on an ABP (they have no flotation statement and no warning statement re. modification);
- ABYC/NMMA plates have no flotation statement, no outboard mass, no build date, no warning statement and are typically listed in pounds (not kgs); and-
- ABPs allow consumers to easily compare boats like-for-like and make informed decisions.

HINs and the ABP

3. If a boat has a HIN, does it also need an ABP?

Yes.

The HIN and the ABP serve different purposes and provide different information. The requirement to put an ABP on a boat is in addition to any requirements relating to HINs.