



Australian Government

Department of Climate Change, Energy,
the Environment and Water

Product Emissions Standards Act 2017

Product Emissions Standards Rules 2017

Exemption Notice

Exemption No: ECP-24-1063E

I, Tracy Gurnett, a Delegate of the Secretary of the Department of Climate Change, Energy, the Environment and Water (the Department) grant this exemption from Part 3 of the *Product Emissions Standards Act 2017* (the Act) for the import and supply of the emissions-controlled products specified in Schedule 1 to this Notice, for the purpose described in Schedule 2 to this Notice.

This exemption is granted under Section 32 of the Product Emissions Standards Rules 2017 in accordance with exemption category 30 (1)(d) for use by an emergency services organization of the emissions-controlled products specified in Schedule 1 to this Notice, subject to the conditions specified in Schedule 2 to this Notice.

This exemption comes into force on the date that it is published on the Department's Website.

This exemption expires on the date specified in Condition 1 of Schedule 2.

In accordance with paragraph 32(1)(a) of the Rules, notice of this exemption will be published on the Department's website.

A handwritten signature in black ink, appearing to read 'tracy gurnett'.

Date:19/08/2024

Delegate of the Secretary

Schedule 1**Emissions-Controlled Products (ECPs) Included in this Exemption**

Only the ECPs specified in the table below are included in this exemption.

Make	Model Name	Equipment Type
TOHATSU	M25H-s	Propulsion Marine Engines
TOHATSU	M25H	Propulsion Marine Engines
TOHATSU	M30H	Propulsion Marine Engines
TOHATSU	MX25H	Propulsion Marine Engines
TOHATSU	MX30H	Propulsion Marine Engines
MERCURY	25M	Propulsion Marine Engines
MERCURY	30M	Propulsion Marine Engines

Schedule 2

Exemption Conditions

In accordance with subsection 34(2) of the *Product Emissions Standards Rules 2017*, the exemption for the engines (ECPs) specified in Schedule 1 is granted subject to the following conditions:

1. The import and supply of the ECPs must be completed prior to the expiry date of **31 August 2026**.
2. The ECPs must only be supplied by an authorized Mercury or Tohatsu supplier for the ultimate use of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) for the purpose of marine mammal rescue as specified in the application.
3. The supply of ECPs as described in Condition 2 must only be undertaken upon receipt of an order form or written request from NSW DCCEEW to an authorized supplier. The form or request must include information identifying NSW DCCEEW as the purchaser.
4. Consistent with the requirements of paragraph 34(1)(b) of the Rules, when the ECPs are imported or supplied, they must be accompanied within Australia with a copy of this exemption notice or with information regarding how the exemption can be accessed online.
5. Consistent with the requirements of Condition 4, the ECPs are also to be labelled upon on arrival with the relevant supply limitation details outlined in this Exemption Notice and must be securely stored on the importers or supplier's premises with this information clearly displayed to identify that they are ECPs imported under this Exemption.
6. The ECPs must not be displayed by any person for sale in a retail showroom or sales area accessible to the public and must not be available for purchase in Australia to the public through the supplier's dealer network or by any other means.
7. Exempted ECPs imported but not supplied by 31 August 2026 are not covered by this exemption.
8. When ordering these ECPs as described in Condition 3, NSW DCCEEW must provide the supplier and the importer with a copy of the Exemption Notice to

inform them of the purpose of this exemption and to enable the Exemption number to be quoted by the importer on the import declaration.

9. NSW DCCEEW must submit a comprehensive report demonstrating compliance with the conditions of this exemption prior to 31 August 2026.
10. This exemption is for a total of 12 ECPs, with the total to be made up of any combination of the ECPs as described in Schedule 1.