

**EXEMPTION FROM THE REQUIREMENT OF MARITIME RULE 40D.83(2)(b)(iv)**

PURSUANT TO Section 47 of the Maritime Transport Act 1994,

I, **PELIN FANTHAM**, Deputy Director Compliance Systems Delivery, acting under delegated authority, being satisfied that –

- (a) the granting of the exemption will not breach New Zealand's obligations under any convention; and
- (b)(iv) events have occurred that make the prescribed requirements unnecessary or inappropriate in the particular case
- (ba) the risk to harm to the marine environment will not be significantly increased by the granting of the exemption; and
- (c) the risk to safety will not be significantly increased by the granting of the exemption.

**HEREBY EXEMPT:**

***OWNERS OF FISHING SHIPS OPERATING UNDER A SAFE OPERATING PLAN AND  
CERTIFICATE OF COMPLIANCE ISSUED UNDER PART 40D OF THE MARITIME RULES***

**FROM:**

The requirement of Maritime Rule 40D.83(2)(b)(iv) –

**40D.83 Ships of 6 metres or less in length that do not proceed beyond enclosed water limits or more than 2 miles from the New Zealand coast**

*(2) Subject to rules 40D.83(3) and 40D.83(4), the owner of any ship must not allow that ship to be operated unless-*

*(b) (iv) the owner's operation of the ship undergoes the audits by the authorised person required by Appendix 5;*

**ONLY IN RESPECT OF:**

**The requirement for one periodic audit of the operation in every two year period in Appendix 5.10(4)**

**PROVIDED THAT:**

- a) the owner complies with the risk based audit cycle as required by the Director from time to time

This exemption shall be valid until **30<sup>th</sup> September 2024**, unless withdrawn earlier in writing by the Director.

**SIGNED** at Wellington on this **21** day of October 2019



**Pelin Fantham**  
Deputy Director Compliance Systems Delivery,  
Maritime New Zealand,  
Acting under Delegated Authority  
190-EX-19