

Secondary Legislation

Part 3I:

Maritime (Design, Construction, and Equipment – Accommodation, Access, Escape, and Personal Safety) Rules [year]

DRAFT FOR CONSULTATION

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Subpart A General

Section 1 Preliminary provisions

A1.1 Title

This Part is Part 3I: Maritime (Design, Construction, and Equipment – Accommodation, Access, Escape, and Personal Safety) Rules [year].

A1.2 Commencement, consequential revocations, and amendments

- (1) This Part comes into force on [commencement date].
- (2) [Relevant existing provisions to be revoked will be specified prior to finalisation of this Part.]

A1.3 Application

- (1) This Part applies to commercial ships that are New Zealand ships in relation to—
 - (a) the design, construction, and equipment of accommodation for crew and passengers, including means of access and means of escape, on those ships; and
 - (b) measures for promoting personal safety on those ships; and
 - (c) accessible facilities, routes, and means of access or escape for disabled passengers and passengers requiring special assistance on those ships.
- (2) For the purposes of subrule (1), a commercial ship is a ship that—
 - (a) was a New Zealand ship immediately before the commencement date; or
 - (b) becomes a New Zealand ship on or after that date.

Note: A distinction is made between a ship that was a New Zealand ship before the commencement date and a ship that becomes a New Zealand ship on or after that date to enable the transitional and savings provisions in A1.5 and the Schedule to apply.

This allows the requirements to be applied differently to ships that were already in the domestic commercial fleet (A1.3(2)(a)), or “deemed” to be in the commercial fleet (AMSA and class-certified ships), and to any ships that are brought within the New Zealand survey and certification regime during the transitional period. For consultation purposes, see Appendix 1 of the Survey and Certification Policy Summary document.

- (3) Unless otherwise provided in this Part, the accommodation, access, escape, personal safety, accessible facilities, routes, and related measures referred to in subrule (1) must comply with all applicable requirements in this Part.
- (4) Section 5 of Subpart C applies only to a ship—
 - (a) described in subrule (2)(b); and
 - (b) that is—
 - (i) a passenger ferry certified to carry more than 36 passengers; or
 - (ii) a pre-booked public passenger service—
 - (A) certified to carry more than 100 passengers; and
 - (B) operating in accordance with a publicly available itinerary to a common scenic, tourist, sporting, or cultural attraction.

- (5) This Part does not apply to a ship to which any of the following Parts apply:
- (a) Part 2A: Maritime (Design, Construction, and Equipment – SOLAS Ships) Rules¹:
 - (b) Part 40F: Design, Construction, and Equipment – Hovercraft:
 - (c) Part 40G: Design, Construction, and Equipment – Novel Ships:
 - (d) Part 82: Commercial Jet Boat Operations – River:
 - (e) Part 404: Design, Construction, and Equipment – New Zealand Cape Town Vessels and Foreign Cape Town Vessels.

Note: The survey and certification rules set out in Part 1A do not include the survey rules for Cape Town ships, which are addressed under Part 404. However, work is ongoing to align the survey rules where appropriate.

The survey and certification rules for ships such as ships that operate under a specified limits permit; safe operational plan; or a barge safety certificate will be considered and consulted on as part of Package 4 of this reform project.

- (6) Rule C2.3 and those provisions of Section 2 of Subpart C that relate to crew do not apply to ships to which Part 51: Crew Accommodation applies.
- (7) Section 4 of Subpart C does not apply to ships of 24 metres or more in LLL to which Part 2C: Maritime (Design, Construction, and Equipment – Load Lines) Rules² applies.

A1.4 Certification

A ship must be certified for compliance with this Part in accordance with Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules³.

A1.5 Transitional, savings, and related provisions

- (1) A ship may rely on the transitional provisions set out in Schedule 1 if—
- (a) the ship—
 - (i) was a New Zealand ship immediately before the commencement date; or
 - (ii) becomes a New Zealand ship within 1 year after the commencement date; and
 - (b) its keel was laid, or the ship was at a similar stage of construction, within the period beginning 2 years before the commencement date.

Note: Rule A1.5(1) applies only to ships that are in the process of being built around the commencement date. Ships that were already New Zealand ships immediately before the commencement date are dealt with separately in the Schedule.

A mid-build ship may rely on the transitional, savings, and related provisions in the Schedule only if it meets the conditions in subrule (1).

- (2) A ship may also rely on the transitional provisions set out in the Schedule if—
- (a) it meets the requirements of rule A1.6(1) or (2); and
 - (b) it enters service within 10 years after the commencement date.
- (3) To the extent that a ship relies on the transitional provisions set out in the Schedule, the ship is not required to comply with the corresponding requirements of this Part to which those transitional provisions apply.
- (4) The transitional, savings, and related provisions set out in the Schedule have effect according to their terms.

¹ Draft Rule Part 2A to be consulted on in 2028.

² Draft Rule Part 2C to be consulted on in 2028.

³ Draft Rule Part 1A to be consulted on with this draft Rule Part.

A1.6 Ships certified in Australia or by recognised classification societies

- (1) For the purposes of rule A1.5(2)(a), a ship meets the requirements of this subrule if the ship—
 - (a) immediately before entering service, holds a valid Australian Certificate of Survey for a ship categorised as a new domestic commercial vessel under Marine Order 503 (Certificates of survey – national law) 2018; and
 - (b) was constructed under survey in accordance with the requirements applying to that certificate; and
 - (c) is certified for a scope of certification equivalent to the scope proposed for the ship in New Zealand.
- (2) For the purposes of rule A1.5(2)(a), a ship meets the requirements of this subrule if the ship—
 - (a) immediately before entering service, holds a valid class certificate confirming that the ship has been certified in accordance with the standards of that recognised classification society; and
 - (b) was constructed under survey by that recognised classification society; and
 - (c) is classified and surveyed by that recognised classification society for a scope of certification equivalent to the scope proposed for the ship in New Zealand.

Section 2 Interpretation

A2.1 Status and effect of MTIs

- (1) An MTI made for the purposes of this Part may specify—
 - (a) technical standards and requirements for the design and construction of facilities for accommodation, access, escape, and personal safety, and accessibility for passengers who are disabled or in need of special assistance; and
 - (b) detailed matters necessary to give effect to this Part.
- (2) If there is an inconsistency between this Part and an MTI, this Part prevails to the extent of the inconsistency.

A2.2 References to rules and MTIs

- (1) Where a rule in this Part contains a reference to a rule in another Part, that reference includes the Part number as the prefix to the reference.
- (2) A reference in this Part to a rule includes any MTI provided for in the rule.
- (3) A reference in a rule in this Part to an MTI is a reference to an MTI as amended or replaced from time to time.
- (4) Where a rule in this Part refers to “an MTI” without specifying the MTI, that reference is to—
 - (a) any MTI applicable to that rule; and
 - (b) an MTI made for the purposes of this Part that applies to that rule.
- (5) An MTI is secondary legislation (see Part 3 of the Legislation Act 2019 for publication requirements).

A2.3 Definitions

In this Part, unless the context otherwise requires,—

accessible route means a continuous, unobstructed path that—

- (a) connects all accessible features and spaces on a ship, including boarding points, allocated spaces, priority seating, and accessible toilets; and
- (b) is designed for independent use by disabled persons

accommodation spaces means those spaces used for public spaces, corridors, lavatories, cabins, mess rooms, offices, hospitals, cinemas, recreational rooms, lounges, hairdressers, pantries containing no cooking appliances, and any space used for leisure or living and not for cargo, storage, or the mechanical working of the ship

Act means the Maritime Transport Act 1994

alternative means of escape means a secondary route designed to enable evacuation if the primary means of access is unavailable

Australian Certificate of Survey means a certificate issued under Marine Order 503 (Certificates of survey – national law) 2018

cargo means all items transported by the ship except the following:

- (a) fuel and ballast for the ship (either solid or liquid);
- (b) consumables (including fresh water) to be used on board;
- (c) permanent outfit and equipment of the ship;
- (d) stores and spare gear for the ship;
- (e) crew and their personal baggage, passengers and their personal baggage, and industrial personnel and their equipment and personal baggage

Certificate of Survey means a valid certificate of survey issued by a surveyor under Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules

Certificate of Surveyor Recognition has the meaning set out in Part 44: Surveyor Responsibilities and Survey, Certification, and Maintenance for Ships in Maritime Transport Operations

class certificate means a certificate issued by a recognised classification society to a ship as evidence that the ship complies with the rules of that society in relation to its structure, material, equipment, propulsion and other machinery (including electrical installations), and with requirements regarding review of plans and drawings, surveys, checks and tests for entry into, and maintenance of, class

coastal limits has the meaning set out in Part 20: Operating Limits

commencement date means the date on which this Part comes into force under rule A1.2

commercial ship has the meaning set out in section 2(1) of the Act

constructed under survey means that, from the commencement of the building of a ship until the completion of the building of that ship, construction is subject to survey by a surveyor, or a person or organisation authorised to conduct that survey under the relevant certification regime, and is verified against the approved design and any applicable construction requirements

corridor means an internal passage with rooms at 1 or both ends or along its length

crew has the meaning set out in section 2(1) of the Act

crew accommodation includes, for the purposes of Sections 2 and 3 of Subpart C, the master's accommodation

Director has the meaning set out in section 2(1) of the Act

disability assistance animal means an animal that performs tasks or functions that directly mitigate 1 or more effects of a passenger's disability, including (but not limited to)—

- (a) guiding passengers who are blind or low vision:
- (b) alerting passengers who are deaf or hard of hearing:
- (c) assisting passengers with mobility or medical conditions, including but not limited to detecting seizures or retrieving items:
- (d) providing support to disabled passengers

enclosed water limits has the meaning set out in Part 20: Operating Limits

enter service, in relation to a commercial ship, means to begin to be operated in service in New Zealand as a commercial ship for the first time and **enters service**, **entered service**, and **entering service** have corresponding meanings

escape route means a continuous, unobstructed route designed to be safely navigable during an emergency to open decks and onward to evacuation stations or, if not present, to a location from which the ship can be safely abandoned

evacuation station means a location on a ship intended for the orderly and rapid embarkation of persons into survival craft

gastight means a space that has properties specified in Part 3D: Maritime (Design, Construction, and Equipment – Fire Protection) Rules⁴

inflatable boat means a boat that—

- (a) achieves its shape and buoyancy through the medium of inflation; and
- (b) is propelled by an engine

inshore fishing limits has the meaning set out in Part 20: Operating Limits

like-for-like, in relation to a repair or replacement, means the replacement of equipment or materials with equipment or materials that—

- (a) are substantially the same in design, function, use, and maintenance, whether or not supplied by the same manufacturer; and
- (b) can be installed in, and occupy, the same or a similar footprint as the original equipment or materials without additional alteration or modification of existing finishes or fixtures

LLL means load line length and has the meaning set out in Part 2C: Maritime (Design, Construction, and Equipment – Load Line) Rules⁵

LOA means length overall of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the ship; and—

- (a) includes structures such as deckhouses that project beyond those terminal points; and
- (b) does not include fittings such as beltings, bowsprits, platforms, pulpits, and booms that project beyond those terminal points

⁴ Draft Rule Part 3D and MTI consulted on in 2024.

⁵ Draft Rule Part 2C to be consulted on in 2027.

low-capacity means of escape means ladders, hatches, and other means of access and escape that, because they serve only a limited number of persons, are capable of supporting effective and timely evacuation without creating significant congestion or major bottlenecks

major alteration—

- (a) means a material alteration or repair to the design or construction of a ship, its systems or equipment, or its electrical installations, as specified in Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules; and
- (b) includes the replacement, removal, or addition of non-permanent parts as specified in Part 1A; and
- (c) does not include direct like-for-like repairs or replacements of parts

major change to a ship's operation means any change to a ship's category, activity, type, or any change to how or where the ship operates, or who or what the ship carries, that is specified in an MTI as increasing the ship's overall operational risk

major fire hazard area has the meaning set out in Part 3D: Maritime (Design, Construction, and Equipment – Fire Protection) Rules⁶

maritime rules has the meaning set out in section 2(1) of the Act

master has the meaning set out in section 2(1) of the Act

mobility device has the meaning set out in the Land Transport (Road User) Rule 2004

mobility parking permit means a parking permit or mobility parking permit—

- (a) issued by CCS Disability Action Services Ltd; or
- (b) approved by the territorial authority having control of the parking area

moderate fire hazard area has the meaning set out in Part 3D: Maritime (Design, Construction, and Equipment – Fire Protection) Rules

muster station means an area where passengers can be gathered in the event of an emergency, given instructions, and prepared to abandon the ship, if necessary

MTI means a transport instrument, made by the Director, for the purposes of this Part, under section 452B of the Act

New Zealand ship has the meaning set out in section 2(1) of the Act

offshore limits has the meaning set out in Part 20: Operating Limits

open boat means a boat not protected from the entry of water by means of a complete deck or by a combination of a partial weather deck and a weathertight superstructure or deckhouse

Note: An “open boat” for the purposes of this Part is different from an “open ship” for the purposes of the Part 3B: Maritime (Design, Construction, and Equipment – Stability, Drainage, Freeboard, and Subdivision) Rule⁷; (distinguished from a “decked ship” depending on specified characteristics).

operator has the meaning set out in section 2(1) of the Act

operational workspace means an enclosed space that is normally accessible during the normal operation of a ship and that is not an accommodation space

⁶ Draft Rule Part 3D consulted on in 2024.

⁷ Draft Rule Part 3B consulted on in 2025.

Part means a group of rules made under the Act

passenger has the meaning set out in section 2(1) of the Act

passenger ferry means a ship specifically designed or constructed to carry more than 12 passengers on a regular, scheduled service between specified ports

passenger ship means—

- (a) for ships that do not proceed beyond restricted limits, a commercial ship that carries any passengers; and
- (b) for ships that proceed beyond restricted limits, a commercial ship that carries more than 12 passengers

passageway means an aisle that—

- (a) is set aside for the passage of persons past furniture or fittings within a space; and
- (b) is not enclosed by bulkheads on both sides

port has the meaning set out in section 2(1) of the Act

pre-booked public passenger service means a passenger service that is available to the general public but for which passengers may travel only if they have booked in advance, and passenger-specific booking details are held by the operator before boarding occurs

primary means of access means the route of access and escape ordinarily used when a ship is in operation

recognised classification society means a classification society that has been recognised by the Director in accordance with section 41 of the Act to exercise specific privileges

The recognised classification societies are:

- American Bureau of Shipping
- Bureau Veritas
- Det Norske Veritas (DNV)
- Lloyd's Register
- Nippon Kaiji Kyokai
- Registro Italiano Navale (RINA)

restricted coastal limits has the meaning set out in Part 20: Operating Limits

restricted limits has the meaning set out in Part 20: Operating Limits

rules has the meaning set out in section 2(1) of the Act

sailing ship means a ship that—

- (a) is designed to be navigated under wind power and for which any motor provided is an auxiliary means of propulsion only; or
- (b) has a non-dimensional ratio of (sail area) divided by (volume of displacement)^{2/3} of more than 9

scope of certification in relation to a ship, means the ship's category, activity, type, operating limits, minimum crew, maximum number of passengers on board, maximum number of persons on board, and maximum cargo capacities

ship has the meaning set out in section 2(1) of the Act

For ease of reference:

“ship” means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes—

- (a) a barge, lighter, or other like vessel;
- (b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates;
- (c) a submarine or other submersible

similar stage of construction means the stage at which—

- (a) construction identifiable with a specific ship begins; and
- (b) assembly of that ship has commenced, comprising at least 50 tonnes or 1 percent of the estimated mass of all structural material, whichever is less

standard has the meaning set out in section 4(1) of the Standards and Accreditation Act 2015 and includes any standard or other material incorporated by reference for the purposes of this Part under section 452 of the Act

surveyor means a person who holds a valid Certificate of Surveyor Recognition

survival craft means a craft capable of sustaining the lives of persons in distress from the time of abandoning the ship

valid, in relation to a certificate, means that the certificate—

- (a) has been issued under, or accepted for the purposes of,—
 - (i) the maritime rules or the marine protection rules; or
 - (ii) Marine Order 503 (Certificates of survey – national law) 2018; or
 - (iii) the rules of a recognised classification society; and
- (b) has not expired, lapsed, been suspended, been withdrawn, or been revoked

vehicle has the meaning set out in section 2(1) of the Land Transport Act 1998

voyage has the meaning set out in section 2(1) of the Act

walkway means a passageway that is level or sloped from the surrounding floor or level, and includes a continuous structure or steps with landings

watertight means capable of preventing the passage of water through the structure in any direction under a head of water for which the surrounding structure is designed.

Subpart B Responsibilities

Section 1 Responsibilities

B1.1 General responsibilities of operators to ensure compliance

An operator must—

- (a) ensure that a ship's accommodation, access and escape arrangements, and personal safety measures comply with this Part; and
- (b) provide safe means for persons to embark, move about, and disembark from the ship, taking into account their individual abilities and their purpose for being on board; and
- (c) manage risks arising from hazards such as fire, flooding, and smoke so as to prevent entrapment and enable safe evacuation; and
- (d) ensure that escape routes are unobstructed, adequately illuminated, and properly signed; and
- (e) implement measures to minimise the risk of slipping, falling, or falling overboard; and
- (f) ensure that a ship undergoes the appropriate survey if, as specified in Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules,—
 - (i) there is a major alteration; or
 - (ii) there is a major change to the ship's operation; and
- (g) ensure that a ship does not carry more than the maximum number of passengers recorded as part of the scope of certification on the ship's Certificate of Survey; and
- (h) ensure that, where required, facilities and accessible routes for disabled passengers and passengers requiring special assistance are provided, maintained, and operated to be safe, accessible, and fit for their intended purpose.

B1.2 Responsibilities of surveyors

A surveyor must not certify a ship under Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules unless the surveyor believes on reasonable grounds that the ship complies with this Part.

Subpart C Ship requirements

Sections in the MTI correspond with Sections in this Subpart C. References to specific clauses in the MTI are included in boxes under specific enabling clauses.

Section 1 General requirements for accommodation, access, escape, and personal safety

C1.1 General requirements for accommodation, access, escape, and personal safety

- (1) A ship must be designed, constructed, and equipped, so far as reasonably practicable to eliminate, or where elimination is not reasonably practicable, minimise the risk to persons on board arising from—
 - (a) the operation and movement of the ship; and
 - (b) the layout, arrangement, and condition of accommodation spaces, accessible routes, and escape routes; and
 - (c) environmental conditions likely to be encountered during operation.

Accommodation and facilities

- (2) A ship must provide accommodation and facilities that are appropriate for—
- (a) the number of persons on board; and
 - (b) the nature and duration of the voyage; and
 - (c) the operating environment.

Safe movement on board

- (3) Without limiting subrule (1), a ship must be arranged to provide for the safe movement of persons on board, including—
- (a) embarkation onto the ship; and
 - (b) movement within the ship; and
 - (c) disembarkation from the ship.

Escape and evacuation

- (4) A ship must be arranged to enable the orderly and timely escape and evacuation of persons on board in an emergency.

Compliance with technical standards

- (5) A ship must comply with the applicable standards and technical requirements specified in an MTI.
- (6) Without limiting subrule (5), the MTI may specify thresholds, dimensions, capacities, or other technical criteria that must be met for compliance with this Part.

Section 2 Accommodation

C2.1 General requirements for accommodation

See clause 2.1(1) of the MTI.

- (1) A ship must be designed, constructed, and equipped to provide—
- (a) toilet facilities and wash facilities that are sufficient and appropriate for the number of persons on board, the duration of a voyage, and the protection of personal privacy, safety, and comfort; and
 - (b) cooking and eating facilities that are appropriate to the nature and duration of the voyage.
- (2) Berthed accommodation must be designed to facilitate rest and sleep for both crew and passengers.
- (3) The maximum number of passengers that a ship may carry must be determined by a surveyor in accordance with an MTI.

C2.2 Requirements applying to both crew and passenger accommodation

General requirements for crew and passenger accommodation

- (1) Accommodation spaces must be located and arranged to minimise risk to persons on board and, in particular, must not be located forward of the collision bulkhead.

Headroom and ventilation

- (2) A ship must comply with the requirements for headroom and ventilation specified in an MTI, including any conditions imposed by a surveyor who determines that reduced headroom is appropriate.

See clauses 2.2(1) to (3) of the MTI.

Soil and waste pipes

- (3) Soil and waste pipes on a ship must comply with the requirements specified in an MTI.

See clauses 2.2(4) and (5) of the MTI.

Sailing ships

- (4) A sailing ship of 12 metres or more in LOA must be provided with a means to dry wet clothing and a designated space to store wet-weather gear.
- (5) A sailing ship of 24 metres or more in LLL that proceeds below the latitude of 50 degrees south must be provided with heating in the accommodation spaces for persons on board, to the satisfaction of the surveyor.

Toilet facilities

- (6) Toilet facilities must—
- (a) be separated from other crew and passenger accommodation spaces; and
 - (b) include compartments that are—
 - (i) constructed and partitioned to ensure privacy for users; and
 - (ii) of sufficient size to allow entry and exit; and
 - (iii) clean, well-lit, well-ventilated, and well-drained, so far as reasonably practicable; and
 - (iv) protected against the sea state and weather conditions expected to be encountered during operation.
- (7) A ship may have a chemical toilet if it complies with the requirements specified in an MTI.

See clauses 2.3(5) and 2.4(9) of the MTI.

C2.3 Type, design, and arrangement of crew accommodation

- (1) The type, design, and arrangement of crew accommodation on a ship must comply with the requirements specified in an MTI.

Note: Definition of “crew accommodation” includes, for the purposes of Section 2 of Subpart C, the master’s accommodation.

General requirements for crew accommodation

- (2) A ship that normally undertakes voyages of 24 hours’ duration or more, or on which crew are required to sleep, must have adequate sleeping accommodation, and eating, cooking, and wash facilities, in accordance with the following requirements and subrules (3) and (5) to (12):
- (a) the location, structure, and arrangement of crew accommodation must be designed and arranged to ensure—
 - (i) a secure environment for crew; and
 - (ii) protection from sea spray, rain, and wind in all sea states and weather conditions expected to be encountered during operation; and
 - (iii) insulation from heat, cold, and excessive noise:
 - (b) bulkheads and decks between accommodation spaces and other spaces, and between accommodation spaces where necessary, must be constructed so as to prevent the infiltration of fumes and odours from machinery spaces, fuel tanks,

galleys, engine rooms, deck and other storerooms, drying rooms, communal wash places, toilets, and similar spaces:

- (c) direct openings from sleeping rooms to spaces referred to in paragraph (b) must be avoided, so far as is reasonably practicable:
- (d) any portion of a bulkhead that separates sleeping rooms from spaces referred to in paragraph (b) must be gastight and, where necessary, prevent the passage of water:
- (e) all interior surface finishes must be of materials that are easily cleaned and are impervious to damp.

Sleeping accommodation

- (3) Sleeping areas on a ship must be provided in accordance with the requirements specified in an MTI.

See clause 2.3(1) of the MTI.

Toilets and wash facilities

- (4) A ship must comply with the requirements in relation to toilet and wash facilities for crew, as follows:
 - (a) if the ship normally undertakes voyages of 4 hours' duration or more, it must have the types and numbers of toilets and washbasins for crew specified in an MTI:
 - (b) if crew are required to sleep on board, or if the ship normally undertakes voyages of 24 hours' duration or more, it must have the number of showers or baths specified in an MTI.

See clauses 2.3(3) to (5) of the MTI.

Mess rooms

- (5) A ship must have table and seating arrangements sufficient to accommodate the number of crew who may use them at any one time.
- (6) The mess room accommodation must, so far as reasonably practicable, be provided separately from sleeping rooms.
- (7) The mess room or area must be located as close as is reasonably practicable to the galley or cooking area.
- (8) Adequate facilities must be provided within or adjacent to the mess room or area for—
 - (a) the hygienic storage and preparation of food and drinks; and
 - (b) the proper disposal of waste.
- (9) Passenger facilities may be used for the purposes of subrule (8) if appropriate.

Cooking, storage, and drinking facilities

- (10) A ship must have, wherever reasonably practicable, a galley that—
 - (a) contains sufficient cooking appliances, equipment, and utensils to meet the reasonable needs of the crew; and
 - (b) includes storage space; and
 - (c) is provided with proper drainage.
- (11) The galley or the cooking area must be sized for its purpose, taking into account—
 - (a) the number of crew; and
 - (b) the duration of the voyages that the ship normally undertakes.

- (12) A sailing ship must be fitted with a galley provided with—
- (a) a cooking stove fitted with fiddle bars; and
 - (b) non-slip flooring; and
 - (c) a crash bar, or other suitable means, to prevent a gimballed cooking appliance from tilting when the appliance is free to swing; and
 - (d) means to lock the gimbaling mechanism of any gimballed cooking appliance.

C2.4 Type, design, and arrangement of passenger accommodation

- (1) The type, design, and arrangement of passenger accommodation on a ship must comply with the requirements specified in an MTI.

General requirements for passenger accommodation

- (2) A ship that carries passengers must be designed, constructed, and equipped to provide passenger accommodation that is appropriate for—
- (a) the number of passengers carried; and
 - (b) the nature and duration of the voyage; and
 - (c) the operating environment.
- (3) A ship that proceeds beyond enclosed water limits must have spaces that provide shelter from the weather for the total number of passengers that the ship is certified to carry, except that, in the case of a ship that does not proceed beyond inshore limits, those sheltered spaces may be open at the after end.
- (4) For a sailing ship, the sheltered spaces required under subrule (3)—
- (a) must be totally enclosed except that, if the ship does not proceed beyond inshore limits, the spaces may be open at the aft end; and
 - (b) may include permanent or temporary structures, such as biminis or dodgers, provided that, when in use, those structures provide effective protection from the weather.
- (5) As an alternative to compliance with subrule (3), a surveyor may determine that a passenger ship that is not a sailing ship may carry suitable warm and weatherproof clothing for the total number of passengers it is certified to carry, taking into account the area and season of operation, if—
- (a) the ship is of less than 12 metres in LOA; and
 - (b) the ship does not proceed beyond restricted coastal limits; and
 - (c) the surveyor is satisfied that, having regard to the area and season of operation, the clothing will provide an equivalent level of protection.

Seating

- (6) A ship that normally undertakes voyages of 30 minutes' duration or more must provide seating for every passenger it is certified to carry, in accordance with the requirements specified in an MTI.

See clause 2.4(1) and (2) of the MTI.

Toilet and wash facilities

- (7) A ship must have the types and number of toilets and wash facilities specified in an MTI.

See clauses 2.4(4) to (10) of the MTI.

Exception for open boats and boats on short voyages with fewer than 50 passengers

- (8) A ship is not required to be provided with toilet facilities if it—
- (a) is an open boat; or
 - (b) normally undertakes voyages of less than 30 minutes' duration within enclosed water limits and carries less than 50 passengers.

Section 3 Means of access, escape, and evacuation

C3.1 General requirements for means of access, escape, and evacuation

- (1) A ship must be designed, constructed, and equipped, so far as is reasonably practicable, to facilitate the orderly and timely movement of persons on board during both normal operation and emergencies.
- (2) Without limiting subrule (1), a ship must be arranged to enable the orderly and timely movement of persons on board, as applicable, to—
 - (a) muster stations; and
 - (b) evacuation stations for transfer into survival craft (if any), or to another ship providing rescue assistance.
- (3) Each enclosed space on a ship must have escape routes of sufficient number, location, and capacity to eliminate, or where elimination is not reasonably practicable, minimise the risk to persons on board from hazards such as fire, smoke, and flooding.
- (4) Escape routes from a major fire hazard area must not pass through another major fire hazard area.
- (5) Stairways, ladders, or other means of moving between levels and decks on a ship must be designed and constructed to—
 - (a) minimise the risk of falls, slips, and trips; and
 - (b) facilitate the orderly and timely movement of persons on board in an emergency.
- (6) A primary means of access or alternative means of escape must be designed so that it is capable of being used by at least 95 percent of persons on board who may reasonably be expected to use the means of access or escape.
- (7) Lifts must not be used as a primary means of access or an alternative means of escape, but a passenger lift on a ship to which Section 5 of Subpart C applies must comply with the accessibility requirements for lifts specified in an MTI.

See clause 5.5(4) to (8) of the MTI.

C3.2 Type, design, and arrangement of the primary means of access to a space

- (1) The primary means of access to a space on a ship must be as safe as reasonably practicable for persons using it, taking into account—
 - (a) the reasonably foreseeable physical and cognitive characteristics of persons; and
 - (b) the nature of the structure or surface external to the ship that those persons are transferring to or from; and
 - (c) variations in height (including due to tidal variations) between the ship and external structures or surfaces; and
 - (d) the ship's movement due to waves, wind, and currents; and
 - (e) any other reasonably foreseeable hazards.
- (2) A primary means of access to an enclosed space accessible to persons on board must be arranged to provide a ready means of escape if a hazard arises within that space.

- (3) The primary means of access to accommodation spaces and operational workspaces must be of a type specified in an MTI.

See clause 3.2 of the MTI.

C3.3 Type, design, and arrangement of alternative means of escape from a space

Note: Definition of “crew accommodation” includes, for the purposes of Section 3 of Subpart C, the master’s accommodation.

- (1) A ship must be designed and arranged so that each level of accommodation spaces and operational workspaces is provided with an alternative means of escape that—
- (a) is located in a position widely separated from the primary means of access; and
 - (b) leads to an unobstructed deck area of sufficient size for all persons on board who may need to use it; and
 - (c) provides onward access, where applicable, to designated muster stations or evacuation stations.
- (2) An alternative means of escape from accommodation spaces and operational workspaces must be of a type specified in an MTI.

See clause 3.3 of the MTI.

Exception for small accommodation spaces

- (3) Subrule (1) does not apply to an accommodation space if the following conditions are met:
- (a) the space accommodates no more than—
 - (i) 6 passengers; and
 - (ii) 8 persons in total;
 - (b) the space is not a moderate fire hazard area or a major fire hazard area;
 - (c) the maximum horizontal travel distance to a point of safety, measured from the point in that space furthest from the exit, does not exceed—
 - (i) 5 metres for passenger accommodation; or
 - (ii) 7 metres for crew accommodation.
 - (d) the primary means of access—
 - (i) does not pass through a watertight door, hatch, or similar opening; and
 - (ii) does not itself lead directly, or through spaces with direct access, to an open deck; and
 - (iii) does not pass through a moderate fire hazard area or a major fire hazard area.

Exception for certain operational workspaces

- (4) Subrule (1) does not apply to an operational workspace if the following conditions are met:
- (a) the space is not normally occupied;
 - (b) the maximum horizontal travel distance to a point of safety measured from the point in that space furthest from the exit does not exceed 5 metres;
 - (c) the primary means of access—
 - (i) does not pass through a watertight door, hatch, or similar opening; and
 - (ii) does not itself lead directly, or through spaces with direct access, to an open deck; and
 - (iii) does not pass through a moderate fire hazard area or a major fire hazard area.

Design of escape arrangements

- (5) The escape routes on a ship must be designed to reduce the risk of entrapment caused by the unforeseen obstruction of a single means of access or escape, having regard to the level of risk if the escape route becomes inaccessible.
- (6) If a space is below the bulkhead deck, at least 1 means of access or escape from that space must not require passage through a watertight door, hatch, or similar opening.

C3.4 Requirements for doorways, corridors, walkways, passageways, and stairways

Doorways, corridors, walkways, passageways, and stairways that form part of a primary means of access or an alternative means of escape from an enclosed space must—

- (a) be arranged to remain unobstructed and allow the rapid and safe evacuation of all persons on board in an emergency; and
- (b) be of robust construction and capable of supporting the maximum number of persons reasonably expected to use them in an emergency; and
- (c) comply with the requirements specified in an MTI.

[See clause 3.4 of the MTI.](#)

C3.5 Requirements for low-capacity means of escape

- (1) A ship may be fitted with low-capacity means of escape if this is appropriate, having regard to the number of persons using the space and the level of risk.
- (2) A low-capacity means of escape must be capable of enabling the persons who may reasonably be expected to use it to evacuate in a safe and timely manner.
- (3) A low-capacity means of escape must comply with the requirements specified in an MTI.

[See clause 3.5 of the MTI.](#)

C3.6 Information and signage regarding means of access or escape

A ship must be provided with information and signage about means of access or escape that—

- (a) identify escape routes and exits; and
- (b) support the safe and timely evacuation of persons on board; and
- (c) comply with the requirements and standards specified in an MTI.

[See clause 3.6 of the MTI.](#)

Section 4 Personal safety

C4.1 General requirements for protecting personal safety

- (1) A ship must be arranged, taking into account the capabilities and physical characteristics of the persons on board, to eliminate or, where elimination is not reasonably practicable, minimise the risk of—
 - (a) physical injury arising from slip hazards, movement of the ship, or exposure to water on deck; and
 - (b) persons falling—
 - (i) overboard; or
 - (ii) from elevated areas or structures.
- (2) A person who undertakes work at height on a ship must be provided with adequate protection from the risk of falling.

- (3) The protections required under subrule (2) must comply with the requirements specified in an MTI.

[See clause 4.2\(15\) of the MTI.](#)

- (4) A ship's arrangements must effectively prevent a person in a vulnerable position on the deck surface (including a person who has slipped) from falling either overboard or from an upper deck onto a lower deck due to factors such as seas on deck, excessive deck angles, or excessive accelerations.
- (5) These arrangements must provide protection in sea state and weather conditions expected to be encountered during operation.
- (6) A means of access to and from a ship must enable safe boarding and disembarkation, taking into account the following:
- (a) sea state and weather conditions expected to be encountered during operation:
 - (b) the nature and condition of the surface to or from which persons will transfer when boarding or disembarking:
 - (c) the nature of the voyage and the persons on board during the voyage.

C4.2 Type and design of safety measures to protect persons from falling overboard depending on type of ship

- (1) A ship must be provided with safety barriers or other safety measures to prevent persons from falling overboard.
- (2) The perimeter of every exposed deck to which passengers or crew have normal access must be fitted with suitable safety barriers such as bulwarks, courses of guard rails, or courses of taut wire, that—
- (a) prevent persons slipping or falling overboard; and
 - (b) comply with the specifications in an MTI.
- (3) As an exception to subrule (2), if a ship is fitted with a headstay, a pulpit must be installed forward of, and around, the headstay, and that pulpit must be of a height not less than the height of the adjacent safety barriers.
- (4) Every ship must, as applicable, comply with any requirements specified in an MTI for safety harnesses, safety lines, and jackstays.

[See clause 4.2 of the MTI.](#)

C4.3 Size of openings in safety barriers, and other safety measures, depending on type of ship and passengers

The size of openings in safety barriers on a ship must comply with the requirements specified in an MTI unless, in accordance with criteria specified in an MTI, a surveyor determines that alternative safety measures may be implemented.

[See clause 4.3 of the MTI.](#)

C4.4 Requirements for height of safety barriers and other safety measures depending on type of ship

The type, design, and installation of bulwarks, guard rails, and other safety measures on a ship, including their height, must comply with the requirements specified in an MTI, including any permitted alternatives.

See clauses 4.4 to 4.6 of the MTI.

C4.5 Lower safety barrier requirements where normal operations are impeded

- (1) This rule applies if a surveyor determines that compliance with rule C4.4 would impede the normal operations of the ship.
- (2) A surveyor may permit safety barriers on a ship to be lower than those required by rule C4.4 if the surveyor is satisfied that—
 - (a) compliance with rule C4.4 would impede the normal operations of the ship; and
 - (b) the ship complies with additional safety measures specified in an MTI; and
 - (c) those safety measures, together with any other measures required by the surveyor, provide an equivalent level of protection against slipping or falling overboard.

See clause 4.5 of the MTI.

C4.6 Alternative safety measures where reduced safety barriers would impede normal operations

- (1) This rule applies if a surveyor determines that compliance with rule C4.5 would impede the normal operations of the ship.
- (2) A surveyor may permit safety barriers to be lower than required under rule C4.5, or permit no safety barriers, if the surveyor is satisfied that—
 - (a) compliance with the minimum height in rule C4.5 would impede the normal operations of the ship; and
 - (b) the ship complies with additional safety measures specified in an MTI; and
 - (c) those safety measures, together with any other measures required by the surveyor, provide an equivalent level of protection against slipping or falling overboard.

See clause 4.6 of the MTI.

C4.7 Emergency lighting

The emergency lighting on a ship must comply with Part 3F: Maritime (Design, Construction, and Equipment – Electrical) Rules [year].⁸

Section 5 Access for disabled passengers and passengers requiring special assistance

C5.1 General requirements for disabled passengers and passengers requiring special assistance

Accommodation, access, escape, and facilities for disabled passengers and passengers requiring special assistance on a ship must be arranged to—

- (a) facilitate access and escape for embarkation, disembarkation, movement around the ship, and use of sanitary facilities by such passengers; and
- (b) remove or reduce barriers to access to parking on vehicle decks if available, seating, movement between areas and levels on the ship, and other facilities available to other passengers.

⁸ Draft Rule Part 3F and MTI consulted on in 2025.

C5.2 Type and design of signage, visual aids, and other aids

Note: Other rules in this Section also require signage for specific accessibility features.

Communication aids

- (1) Communication aids on a ship must be designed and provided to accommodate disabled passengers.

Signage

- (2) A ship must display signage identifying the following:
 - (a) entry and exit doorways on accessible routes:
 - (b) priority seating for disabled passengers and passengers requiring special assistance:
 - (c) allocated spaces for users of wheelchairs or other mobility devices:
 - (d) that priority seating and allocated spaces for users of wheelchairs or other mobility devices must be vacated when needed by disabled passengers or passengers requiring special assistance, with signage explicitly stating that not all disabilities are visible:
 - (e) that disability assistance animals are permitted in areas with priority seating:
 - (f) priority vehicle parking spaces for users of wheelchairs and other mobility devices located on roll-on and roll-off ship decks:
 - (g) accessible toilet facilities:
 - (h) the location of stairways and lifts.
- (3) Signage must—
 - (a) be designed and presented in a manner that is clearly understandable and usable by passengers with a wide range of physical, sensory, and cognitive abilities; and
 - (b) comply with the requirements specified in an MTI.

See clause 5.2(1) and (2) of the MTI.

Visual aids and other aids

- (4) All doors, signs, counters, stairways (including lower landing, upper landing, and treads), and any other areas on a ship that are artificially lit must comply with the lighting requirements specified in an MTI.
- (5) Contrasting colours must be applied consistently to the elements described in an MTI, throughout the ship, to enable passengers to familiarise themselves with these indicators and identify them more readily.
- (6) A ship that is certified to carry more than 100 passengers must be equipped with additional support features designed to assist passengers who are blind or with low vision, or are deaf or hard of hearing, as specified in an MTI.

See clause 5.2(3) to (5) of the MTI.

C5.3 Embarking and disembarking

- (1) A ship must be provided with facilities for embarking and disembarking that comply with the requirements specified in an MTI and that enable disabled passengers to do so with the minimum practicable assistance having regard to—
 - (a) the ship's design; and
 - (b) the nature of the operation; and

- (c) available land-based infrastructure.
- (2) The facilities must be designed to operate safely in sea and weather conditions expected to be encountered.

See clause 5.3 of the MTI.

Note: Guidance will be published upon implementation of the rules stating best practice. Any boarding restrictions, related to tides or land-based infrastructure, should be made readily available by operators to passengers who have already made a booking or persons seeking to make a booking, at or before the time of booking or ticket purchase.

C5.4 Priority vehicle parking spaces for holders of mobility parking permits

Vehicle parking spaces

- (1) A roll-on and roll-off ferry must have spaces allocated as priority vehicle parking spaces for holders of mobility parking permits that comply with the requirements specified in an MTI.

See clause 5.4 of the MTI.

- (2) The number of priority vehicle parking spaces is—
 - (a) at least 2 priority vehicle parking spaces for the first 37 parking spaces:
 - (b) at least 1 additional priority vehicle parking space for every 50 parking spaces thereafter.
- (3) Subject to subrule (4), priority vehicle parking spaces must be located as near as is reasonably practicable to passenger accommodation areas to enable occupants to leave their vehicles and access those areas more easily.
- (4) If a voyage is intended to be of less than 30 minutes' duration and the occupants are not expected to leave their vehicles, priority vehicle parking spaces are not required.
- (5) The route from a priority vehicle parking space to passenger accommodation must be—
 - (a) an accessible route with no barriers; and
 - (b) clearly marked; and
 - (c) safe from traffic.
- (6) A priority vehicle parking space may be made available for general public use when not required by a holder of a mobility parking permit.
- (7) Subrule (6) does not apply if the holder of a mobility parking permit has provided reasonable notice under subrule (8).
- (8) An operator may require holders of a mobility parking permit who require use of a priority vehicle parking space to provide reasonable notice before the operator loads vehicles for the voyage.

C5.5 Accessible routes

- (1) An accessible route must—
 - (a) be provided from the embarkation and disembarkation points to—
 - (i) priority seating; and
 - (ii) allocated spaces for users of wheelchairs or other mobility devices; and
 - (iii) accessible toilets; and
 - (b) comply with the requirements specified in an MTI.

Doors and door handles

- (2) Doors and door handles on accessible routes must—
- (a) be designed to be easily operable by disabled passengers and passengers requiring special assistance; and
 - (b) comply with the requirements specified in an MTI.

See clause 5.5 of the MTI.

C5.6 Priority seats for disabled passengers and passengers requiring special assistance

- (1) Priority seats must be provided for—
- (a) disabled passengers; and
 - (b) passengers requiring special assistance, including parents or caregivers with children.
- (2) The number of priority seats must be at least—
- (a) 4 priority seats for the first 50 passengers; and
 - (b) 2 additional priority seats for every 50 passengers or part of that number, beyond the initial 50 passengers.

Accommodation for disability assistance animals

- (3) Priority seating areas must include seating that is configured to allow a disability assistance animal to sit comfortably alongside the passenger it accompanies and be clearly identified by signage, in accordance with rule C5.2, as seating in areas where disability assistance animals are permitted.

C5.7 Allocated spaces for users of wheelchairs and other mobility devices

- (1) A ship must have spaces allocated for users of wheelchairs and other mobility devices in accordance with the requirements specified in an MTI.
- (2) The number of allocated spaces must be at least—
- (a) 2 spaces for the first 37 passengers; and
 - (b) 1 additional space for every 50 passengers or part of that number, beyond the initial 37 passengers.

See clause 5.7 of the MTI.

C5.8 Stairway safety and accessibility

Stairways, doors, and handrails must comply with the requirements specified in an MTI.

See clause 5.8 of the MTI.

C5.9 Type and design of accessible toilet facilities

Application

- (1) Subrules (2) and (3) apply, in addition to the other requirements in this Section, only if the ship is certified to carry more than 50 passengers.
- (2) A ship must have at least 1 accessible toilet facility that—
- (a) is designed and constructed to enable easy and unimpeded entry and exit for disabled passengers and any passengers requiring special assistance; and
 - (b) is designed to provide sufficient space and appropriate features to allow a person using a wheelchair or other mobility device to manoeuvre within the space and independently use the facilities; and

- (c) is available for use by any passenger, including disabled passengers and passengers requiring special assistance; and
- (d) provides privacy within each compartment; and
- (e) is illuminated to a sufficient level at all times; and
- (f) is accessible without requiring passage through any area designated for use by a specific gender only; and
- (g) includes grab rails or other features to assist disabled passengers or passengers requiring special assistance in accordance with an MTI; and
- (h) has washbasins, and other fittings, placed or arranged so as to not impede use of the toilet by a disabled passenger or passenger requiring special assistance, in accordance with the requirements specified in an MTI; and
- (i) complies with the dimensions specified in an MTI.

[See clause 5.9\(2\) to \(9\) of the MTI.](#)

Entry to toilets

- (3) The entrance to an accessible toilet must be—
 - (a) located on an accessible route; and
 - (b) on the same floor or level as the passenger accommodation and the embarkation and disembarkation points.

[See clause 5.9\(10\) to \(14\) of the MTI.](#)

Schedule: Transitional, savings, and related provisions

1. Application of proposed transitional, savings, and related provisions to ships under rules A1.3(2)(a) and A1.5

For consultation purposes, the proposed transitional, savings, and related provisions for ships described in rules A1.3(2)(a) and A1.5 are set out in Appendix 1 of the Survey and Certification Policy Summary document.

2. Existing exemptions continued

An exemption granted by the Director under section 40AA of the Act, from a requirement that is in force immediately before the commencement date, continues in force on and after the commencement date and is subject to the same conditions (if any) as applied before the commencement date.