

Marine Protection Rules

Part 190 – Mandatory Ships Routeing

MNZ Consolidation

13 December 2019

ISBN 978-1-99-001612-7

Published by

Maritime New Zealand, PO Box 25620, Wellington 6140, New Zealand

Maritime New Zealand Copyright 2019

Part objective

The objective of Part 190 is to give effect to “areas to be avoided” by certain ships in the vicinity of the Poor Knights Islands and the Three Kings Islands. Both areas are so designated in order to protect the marine environment.

The rules instruct the owners, the charterers and the masters of the ships to which the rules apply to avoid the defined areas.

“Areas to be avoided” are one of the ships routeing measures that may be adopted by the International Marine Organisation to protect the marine environment.

The IMO adopted the Three Kings area to be avoided in 1995 and the Poor Knights are to be avoided in 2004.

The specific ship types and sizes to which these two routeing measures apply reflect the terms of the respective New Zealand applications for the adoption of the measures.

Marine protection rules are disallowable instruments under the Legislation Act 2012. Under that Act, the rules are required to be tabled in the House of Representatives. The House of Representatives may, by resolution, disallow any rules. The Regulations Review Committee is the select committee responsible for considering rules under that Act.

Disclaimer:

This document is the current consolidated version of Marine Protection Rules Part 160 produced by Maritime New Zealand, and serves as a reference only. It has been compiled from the official rules that have been signed into law by the Minister of Transport. Copies of the official rule and amendments as signed by the Minister of Transport may be downloaded from the Maritime New Zealand website. www.maritimenz.govt.nz

History of Part 190

Part 190 first came into force on 30 December 2004 and now incorporates the following amendments:

Amendment	Effective date
Amendment 1	1 April 2015
Amendment 2	13 December 2019

Summary of amendments

Amendment 1

Marine Protection Various Amendments 2015 Part Objective

Amendment 2

Marine Protection Rules Various Amendments 2019 Part Objective

All signed rules can be found on our website:

<https://www.maritimenz.govt.nz/Rules/>

Contents

Part objective	i
190.1 Entry into Force	1
190.2 Definitions	1
190.3 Poor Knights Islands	1
190.4 Three Kings Islands	1

General

190.1 Entry into force

This Part comes into force on 30 December 2004.

190.2 Definitions

In this Part –

Act means the Maritime Transport Act 1994;

length overall means the length of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern; but –

- (a) does not include fittings such as beltings, platforms, gantries and trim tabs which project beyond those terminal points; and
- (b) does include those structures such as bulbous bows, deck houses and buoyancy tubing which do project beyond those terminal points;

MARPOL means the International Convention for the Prevention of the Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto; and includes any subsequent protocol, amendment or revision of that convention accepted or ratified by New Zealand;

Poor Knights area means the area bounded by a line connecting the following geographical positions –

- 35° 51'. 30 S 174° 35'. 50 E
- 35° 34'. 55 S 174° 49'. 20 E
- 35° 29'. 60 S 174° 50'. 80 E
- 35° 24'. 70 S 174° 50'. 20 E
- 35° 10'. 20 S 174° 20'. 10 E;

Three Kings area means the area bounded by a line connecting the following geographical positions –

- 34° 06'. 00 S 172° 00'. 00 E
- 34° 06'. 00 S 172° 12'. 50 E
- 34° 13'. 50 S 172° 12'. 50 E
- 34° 13'. 50 S 172° 00'. 00 E.

190.3 Poor Knights Islands

- (1) This rule applies to every ship of more than 45 metres length overall except –
 - (a) a fishing ship engaged in a fishing operation; or
 - (b) a barge under tow provided its cargo does not include oil or any other harmful liquid substance as defined in Annex I and Annex II of MARPOL.
- (2) The owner, charterer and master of a ship to which this rule applies must not cause or allow the ship to enter the Poor Knights area in transit.

190.4 Three Kings Islands

Subject to section 32 and 100 of the Act, the owner, charterer and master of a ship of 500 gross tons or more must not cause or allow the ship to enter the Three Kings area.