

# MARITIME OPERATIONS ADVISORY NOTES

## Minimum Safe Crewing Application

Code	MS126	Issue Date	May 2015
Owned by	General Manager Maritime Standards	Review Date	
Managed by	Manager Domestic Operations		
Authorised by	General Manager Maritime Standards		

### 1 Requirements

- 1.1 Maritime Rules Part 31 requires the Owner and Master of certain vessels to operate under a Minimum Safe Crewing Document (MSCD).

Those vessels are:

#### **Ships to which Maritime Rules Part 31 Subpart B applies (Part 31.40 & 31.42(a))**

- SOLAS ships
- passenger or non-passenger ships operating beyond restricted limits but within coastal or offshore limits and that are 24m or more in length or 500 GT or more
- passenger or non-passenger ships operating in the unlimited area
- passenger or non-passenger ships of 3000 GT or more operating within restricted limits.

#### **The following ships to which Maritime Rules Part 31 subpart D applies (Part 31.80 & 31.82)**

- passenger ships of less than 24m length that operate in coastal or offshore limits
- passenger ships carrying 50 or more passengers within inshore limits
- passenger ships carrying 100 or more passengers within enclosed water limits
- ships between 500 and 3000GT operating exclusively in restricted limits
- high-speed craft to which section 2 of Part 40A applies
- ship handling harbour tugs
- pilot ships.

#### **Passenger or non-passenger ships operating within restricted limits**

- the Director considers the ship has equivalent crewing requirements to a type of ship referred to in sub-rule (1)(a), (b), (c) or (d) and
- the Director notifies the Owner of the ship to that effect in writing.

- 1.2 Part 31 requires an Owner of such vessels to submit an application to the Director of Maritime New Zealand (MNZ) for a MSCD. In preparing such an application the requirements set down in this section of the rule must be considered and commented on.

- 1.3 Part 31 sets down the issues that must be considered and complied with in assessing the minimum crew required to safely manage and operate the vessel.

- 1.4 Should the Owner consider that its operations are a “Special Case” where a variation to the requirements of Part 31 is desired, then the Owner must make an application to MNZ for an “Exemption to the Rule” to the extent the Owner wishes to not comply to the Rule. No consideration of the application for an MSCD can proceed until the “Exemption” is decided upon.

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## **2 Application**

- 2.1 The MNZ’s Minimum Safe Crewing Document Application and Assessment Form (MSF008) must be used and completed in its entirety and lodged with MNZ for evaluation of the proposed crewing of the vessel. Additional information may be offered in support of the application.
- 2.2 These documents address each of the considerations in Parts 31.22 and 31.23.
- 2.3 Following receipt of an application MNZ Maritime Operational Staff will evaluate the application. They may second other technical advisory people to assist in this process. A visit to the vessel to observe its operations and safety practices may be required at the sole discretion of the Director of Maritime New Zealand.
- 2.4 In evaluating the application MNZ will consider, but not be limited to, the information given and the following:
- the Operator’s history of safe operation
  - the particular circumstances of the vessel’s operations relative to, the vessel, its equipment, passenger numbers, operating area, prevailing weather conditions, other vessel support, shore support, length of voyages, etc
  - whether the Operator’s overall structure of crewing, training, qualifications, experience, operating limitations, safety equipment and monitoring, meets not only the requirements of the rule but its intent
  - the application of risk management principals involving the probability of hazardous events and their consequences
  - the advice of MNZ Maritime Officers for the location
  - the accident and incident records of and relevant to the vessel, operating areas and the Operator’s operations.
- 2.5 After full evaluation of the application and assessment of the proposed manning offered by the Owner in the application a decision on the application will be made. If the decision of MNZ is to require a different manning level to that proposed in the application a meeting with the Owner, Master and Crew may be convened by MNZ to discuss fully its position. At such a meeting an agreement on the manning levels will be reached.

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## **3 Minimum Safe Crewing Document**

- 3.1 Following agreement to the manning levels (which cannot be less than that required by Part 31 and its Advisory Circular) MNZ will issue a MSCD to the Operator for the vessel. This document must be carried on board the vessel at all times.
- 3.2 Part 31.22(7)(7) states that a minimum safe crewing document remains in force for whichever is the lesser period of time:
- five years from the date of issue or renewal (as applicable) or

- until the ship undergoes a change in trading area, construction machinery, equipment, operation or maintenance that affects the minimum safe crewing level.

3.3 Changes to the following could affect the MSCD:

- passenger numbers (in any operating limit)
- operating limits
- engine power
- service speed
- category
- activities.

3.4 The certificate will become invalid during this period if monitoring of the manning levels indicates that change is required.

3.5 The information and assessment offered in the application must be compliant to all requirements within the vessel's operator plan as approved by the Director of Maritime New Zealand.

3.6 It should be noted that notwithstanding the MSCD it is the responsibility of the Owner and Master to ensure that the vessel is safely manned for every voyage.