

Secondary Legislation

Part 3K:

Maritime (Design, Construction, and Equipment – Navigation Systems and Equipment) Rules [year]

DRAFT FOR CONSULTATION

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Subpart A General

Section 1 Preliminary provisions

A1.1 Title

This Part is Part 3K: Maritime (Design, Construction, and Equipment – Navigation Systems and Equipment) 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 installation of navigation systems and equipment carried on or fitted to those ships; and
 - (b) the servicing, repair, and maintenance of navigation systems and equipment carried on or fitted to those ships.
- (2) For the purposes of subrule (1), this Part applies to a commercial ship that—
 - (a) was a New Zealand ship immediately before the commencement date; or
 - (b) becomes a New Zealand ship on or after the commencement 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) 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: Maritime (Design, Construction, and Equipment – Novel Ships) Rules:
 - (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.

¹ Draft Rule Part 2A to be consulted on in 2027.

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.

- (4) This Part does not apply to—
- (a) a barge; or
 - (b) a ship that operates solely on a river or other restricted waterway.

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) Rules².

A1.5 Transitional, savings, and related provisions

- (1) A ship may rely on the transitional provisions set out in the Schedule for navigation systems and equipment carried on or fitted to the ship 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.

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 Australia's 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

² Draft Rule Part 1A is being consulted on with this draft Rule Part in 2026.

- (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) the carriage, design, construction, performance, installation, servicing, repair, and maintenance of navigation systems and equipment and supporting accessories and related certification requirements, and
 - (b) detailed matters necessary to give effect to these rules.
- (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 to an MTI in a rule in this Part 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,—

Act means the Maritime Transport Act 1994

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

automatic radar plotter means a computer-assisted radar data processing system designed to automatically track targets and provide information on the range, bearing, course, and speed of other targets for collision-avoidance purposes and can include, but is not limited to, automatic radar plotting aid, electronic plotting aid, or automatic tracking aid

barge means any barge, lighter, or similar ship that has no means of self-propulsion

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

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 the 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

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

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

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

fishing ship means a vessel that is registered under the Fisheries Act 1996 other than an eel fishing boat

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 Lines) Rules³

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

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 if the alteration or repair is specified in Part 1A; and
- (c) does not include direct like-for-like repairs or replacements of parts

³ Draft Rule Part 2C to be consulted on in 2028.

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 any change to who or what the ship carries, that is specified in an MTI as increasing the ship's overall operational risk

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

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

navigation systems and equipment includes, but is not limited to, bridge navigational watch alarm system, a sextant, chronometer, binoculars, compass, emergency steering position communications system, radar installation, automatic radar plotter, echo-sounding device, device to indicate speed and distance, rudder angle indicator, propeller shaft revolution indicator, rate-of-turn indicator, and signalling lamp

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

non-passenger ship means a ship that is not a passenger ship or a fishing ship

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

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

Part means a group of rules made under the Act

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

passenger ship means a ship that carries more than 12 passengers on a voyage beyond restricted limits, or any passengers on a voyage within restricted limits

radar installation means equipment consisting of a scanner, a transmitter, a receiver, and 1 or more display units

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)

recognised compass adjuster means a person to whom the Director has issued a maritime document recognising that person as a compass adjuster under rule D6.1

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

restricted waterway includes, but is not limited to, lakes of less than 100 square kilometres, an artificial watercourse such as a canal for the supply of water for the generation of electricity, a water supply race, and an irrigation canal

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

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

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 current Certificate of Surveyor Recognition

unlimited area has the meaning set out in Part 20: Operating Limits

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

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

Subpart B Responsibilities

B1.1 General responsibilities of operators to ensure compliance

- (1) An operator must ensure that a ship carries or has fitted the navigation systems and equipment required in Subpart D and an MTI.
- (2) An operator must ensure that the navigation systems and equipment required to be carried on or fitted to a ship—
 - (a) are fit for its intended purpose; and
 - (b) are in good working order and condition; and
 - (c) comply with the requirements in this Part; and
 - (d) comply with the performance standards and technical requirements in an MTI.
- (3) An operator must ensure that a ship undergoes the appropriate survey if, as specified in Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules,—
 - (a) a major alteration is made to the ship; or
 - (b) there is a major change to the ship’s operation.
- (4) Compliance with subrule (2) is not required where there is a defect in the navigation system or equipment and—
 - (a) maintenance is being undertaken; or
 - (b) maintenance cannot reasonably be undertaken during a voyage.
- (5) An operator must ensure that navigation systems and equipment carried on or fitted to a ship, but not required under this Part, comply with Sections 3, 4, and 5 of Subpart D.

B1.2 Responsibilities of masters

A master must ensure, before departing on a voyage, that—

- (a) the ship carries the navigation systems and equipment required under this Part; and
- (b) the navigation systems and equipment have been tested and are in good working order; and
- (c) the magnetic compasses carried on the ship have been adjusted in accordance with this Part; and
- (d) the ship complies with the requirements in an MTI relating to residual deviation information for magnetic compasses.

B1.3 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.

B1.4 Responsibilities of compass adjusters

A recognised compass adjuster must provide accurate and complete records where required under this Part.

B1.5 Functions and powers of Director

The Director may recognise a person as a compass adjuster if the person has satisfied the requirements specified in rule D6.1 and in an MTI.

Subpart C Navigation Categories of ships

Section 1 Criteria for categories of ship

C1.1 Navigation categories of ships

- (1) Subrules (2) to (5) set out categories of ships for the purposes of assigning navigation systems and equipment required under this Part and an MTI.

Navigation Category 1 ships

- (2) A ship is a Navigation Category 1 ship if it is—
- (a) a passenger ship of 6 metres or less in LOA that does not proceed beyond restricted limits; or
 - (b) a non-passenger ship of less than 12 metres in LOA that does not proceed beyond restricted limits; or
 - (c) a fishing ship of less than 12 metres in LOA that does not proceed beyond inshore fishing limits.

Navigation Category 2 ships

- (3) A ship is a Navigation Category 2 ship if it is of less than 500 gross tonnage and is—
- (a) a passenger ship—
 - (i) of more than 6 metres in LOA that does not proceed beyond restricted limits; or
 - (ii) of less than 24 metres in LLL and proceeds beyond restricted limits but not beyond offshore limits; or

- (b) a non-passenger ship—
 - (i) of 12 metres or more in LOA that does not proceed beyond restricted limits; or
 - (ii) that proceeds beyond restricted limits but not beyond offshore limits; or
- (c) a fishing ship—
 - (i) of 12 metres or more in LOA that does not proceed beyond inshore fishing limits; or
 - (ii) that proceeds beyond inshore fishing limits but not beyond offshore limits.

Navigation Category 3 ships

- (4) A ship is a Navigation Category 3 ship if it is either of the following:
 - (a) a passenger ship—
 - (i) of less than 500 gross tonnage; and
 - (ii) 24 metres or more in LLL; and
 - (iii) that proceeds beyond restricted limits:
 - (b) a ship that proceeds into the unlimited area.

Navigation Category 4 ships

- (5) A ship is a Navigation Category 4 ship if it is of 500 gross tonnage or more.

Subpart D Ship navigation systems and equipment requirements

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

Section 1 Carriage requirements

D1.1 General requirements for navigation systems and equipment

- (1) A ship must comply with the requirements in this Part including the performance standards for the design, construction, and installation of navigation systems and equipment specified in an MTI.

See Section 2 of the MTI.

- (2) Without limiting subrules (3) and (4), a ship must carry or be fitted with the navigation systems and equipment specified in an MTI for its Navigation Category.
- (3) A ship must carry or be fitted with appropriate navigation systems and equipment that enable the master to manage the risks associated with navigating the ship under all operating conditions.
- (4) A ship must carry or be fitted with navigation systems and equipment necessary for safe navigation, taking into account—
 - (a) the type of operation; and
 - (b) the time of operation; and
 - (c) the area of operation; and
 - (d) the environmental conditions; and
 - (e) the number and proximity of other ships in the vicinity, including anticipated traffic density; and
 - (f) any other relevant risk factors.

- (5) The navigation systems and equipment that a ship is required to carry under this Subpart must be determined by reference to the ship's Navigation Category specified in rule C1.1.
- (6) For the purposes of this Subpart, the navigation systems and equipment required to be carried on or fitted to a ship may differ within the same Navigation Category, as specified in an MTI, having regard to matters such as—
 - (a) the ship's gross tonnage; and
 - (b) the type of ship; and
 - (c) the area of operation; and
 - (d) other relevant factors.

Section 2 Heading and position systems and equipment

D2.1 General requirements for heading and position equipment

Systems and equipment to determine and maintain heading

- (1) Every ship on a voyage must carry or be fitted with navigation systems and equipment that enable the helmsperson to determine and maintain the ship's heading accurately, continuously, reliably, and under all operating conditions.
- (2) The number and type of navigation systems and equipment required in subrule (1) must comply with the requirements in an MTI.

Equipment to determine position

- (3) A ship that proceeds into the unlimited area must, and any other ship may be required by an MTI to, carry navigation equipment capable of enabling the master and crew to accurately determine the ship's latitude and longitude at all times when necessary.
- (4) The number and type of navigation equipment required under subrule (3) must comply with the requirements in an MTI.

See clauses 2.3 to 2.7 of the MTI.

Section 3 Performance standards and technical requirements

D3.1 General requirements for performance

- (1) Navigation systems and equipment on a ship must be designed and constructed so that they—
 - (a) function reliably under all operating conditions; and
 - (b) are effective for their intended navigational purpose.
- (2) A wheelhouse on a ship must be designed and constructed to ensure the following:
 - (a) it must provide the helmsperson with the widest possible arc of visibility, including clear sightlines both forward and abaft the beam and, where practicable, all-round visibility;
 - (b) windows located forward of the helm position, and any additional windows necessary for the safe navigation of the ship, must be positioned to ensure an unobstructed view for the helmsperson;
 - (c) adequate, unobstructed space must be provided at the helm to allow the helmsperson to operate, and this space must not be encroached upon by passenger seating, fittings, or other passenger-related arrangements.
- (3) Navigation systems and equipment on a ship must comply with the performance standards and technical requirements in an MTI.

[See Section 3 of the MTI.](#)

Section 4 Accessories supporting navigation systems and equipment

D4.1 General requirements for navigation accessories

Navigation systems and equipment on a ship must be accompanied by documents, signs, and other objects necessary for the safe and accurate use of the navigation systems and equipment.

D4.2 Specific accessories supporting navigation systems and equipment

A ship must carry the accessories specified in an MTI that are necessary to assist users of navigation systems and equipment.

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

Section 5 Installation, servicing, repair, adjustment, and maintenance

D5.1 General requirements for installation, servicing, repair, and maintenance

Navigation systems and equipment on a ship must be installed, serviced, repaired, adjusted, and maintained to ensure their continued effective operation and accuracy.

D5.2 Installation of navigation systems and equipment

Navigation systems and equipment on a ship must be installed as required in an MTI.

[See clause 5.2 of the MTI.](#)

D5.3 Servicing of navigation systems and equipment

Navigation systems and equipment must be serviced as required in an MTI.

[See clause 5.3 of the MTI.](#)

D5.4 Repair and maintenance of navigation systems and equipment

A ship must carry the spare parts, tools, and other items specified in an MTI that are necessary for the repair and maintenance of navigation systems and equipment.

[See clause 5.4 of the MTI.](#)

Section 6 Recognition of compass adjusters

D6.1 Process for the recognition of compass adjusters

- (1) The Director may recognise a person as a compass adjuster by issuing a maritime document under section 41 of the Act, if satisfied that the person—
 - (a) has applied to be recognised as a compass adjuster under section 35 of the Act; and
 - (b) has the minimum level of experience in adjusting compasses specified in an MTI; and
 - (c) holds the compass adjusting qualifications specified in an MTI; and
 - (d) holds a relevant certification specified in an MTI; and
 - (e) meets the other criteria in section 41 of the Act.

[See clause 6.1 of the MTI.](#)

- (2) A maritime document recognising a person as a compass adjuster must—
 - (a) be issued for a period of not more than 5 years; and
 - (b) state the period for which the document is valid.

Schedule: Transitional, savings, and related provisions

1. Application to ships described in rule A1.3(2)(a)

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 to be in force on and after the commencement date and is subject to the same conditions (if any) as applied before the commencement date.