

Request for exemption from Maritime Rules

Last updated August 2023

This document is uncontrolled if printed. Please refer to the Maritime New Zealand website for the latest version.

About this form

Use this form to request an exemption, including crewing exemptions, from Maritime Rule requirements (Parts 19 to 91) under the Maritime Transport Act 1994 (except Part 32: Seafarer Certification).

Separate forms are available for exemption requests for Part 32: Seafarer Certification and Marine Protection Rules (Parts 100 to 300).

You will need to complete all sections of this form.

Maritime NZ will assess your application based on the exemption criteria set out in section 40AA of the Maritime Transport Act 1994. These are explained in the *Guidelines for applying for a Maritime or Marine Protection Rule Exemption*. The guidelines are available on the Maritime NZ website. The 'Apply now' button on that page will take you to the guidance and assessment criteria.

www.maritimenz.govt.nz/exemptions

To complete this request, you need to provide all of the information we require. If you do not provide all of the required information we cannot process your application and we will return it and your other documents to you.

Note

All applications for exemptions using this form should be signed by a ship's surveyor, who either holds a Certificate of Surveyor Recognition or is employed by a Recognised Organisation. Where appropriate, supporting information should be provided in writing by the attending surveyor.

1. Application information

Vessel information

Vessel name	<input type="text"/>
MNZ number	<input type="text"/>
LOA (metres)	<input type="text"/>
Vessel operating limits	<input type="text"/>
Type of operation	<input type="text"/>
Surveyor	<input type="text"/>

Owner/Operator/Authorised person information

Name	<input type="text"/>
	<small>Name of person responsible for the operation or the owner of the vessel</small>
Contact number	<input type="text"/>
Email address	<input type="text"/>
Postal address	<input type="text"/>
	<input type="text"/>
Post code	<input type="text"/>

Exemption request details

Date of request	<input type="text"/>
Part/rule number(s)	<input type="text"/>
Part/rule text	<input type="text"/>

2. Reason for exemption

2.1 Tell us why you are seeking an exemption from the rule requirement.

2.2 Tick any of the following factors that are applicable for your exemption request (you must tick at least one option).

- The requirement from which you are seeking exemption has been substantially complied with and further compliance is unnecessary (s. 40AA(2)(b)(i)).
- The manner in which the requirement has been, or is sought to be, fulfilled is effective as, or more effective than actual compliance with the requirement (s. 40AA(2)(b)(ii)).
- The requirement in the rule is clearly unreasonable or inappropriate in this particular case (s. 40AA(2)(b)(iii)).
- Events have occurred that make the requirement unnecessary or inappropriate in this particular case (s. 40AA(2)(b)(iv)).

2.3 Explain your reason for choosing the factor(s) above.

Refer to the guidelines for applying for a maritime or marine protection rules exemption for examples.

3. Assessment of risk

Your application will be assessed based on the following criteria.

3.1 Marine environment

Could any risk of harm to the marine environment arise if the exemption is granted?

Tick only one

YES

NO

Explain why or why not.

3.2 Safety

Could any risk to safety arise if the exemption is granted?

Tick only one

YES

NO

Explain why or why not.

3.3 Obligations under any convention

Will the exemption breach New Zealand's obligations under any international convention (such as the Collision Regulations, SOLAS or MARPOL)?

Tick only one

YES

NO

Provide the relevant convention provision and explain why or why not.

4. Declaration

I hereby confirm compliance with all other relevant maritime and marine protection rules and that the risk to safety and risk of harm to the marine environment will not be significantly increased by the granting of this exemption. I also confirm that, to my knowledge, this exemption does not breach New Zealand's obligations under any international convention.

Caution

Providing information relevant to the exercise of the Director's powers which is known to be fraudulent, misleading or false, is an offence under section 406 of the Maritime Transport Act 1994. It is also an offence for applicants for maritime documents or marine protection documents to fail to provide to the Director information known to that person which is relevant to the Director's exercise of powers. The penalty for these offences in the case of an individual is imprisonment for a term of up to 12 months or a fine of up to NZ\$10,000 (and up to \$50,000 for a body corporate).

Your name

Your signature Sign here

Date
DD / MM / YYYY

Surveyor's name

Surveyor's signature Sign here

Date
DD / MM / YYYY

Privacy information

Personal information collected in this form will be used for the purpose of assessing your application. Maritime NZ will not disclose personal information other than when permitted or required by law to do so.

Maritime NZ is required to notify the number and nature of exemptions granted in the *Gazette*. The information included in these notifications may require us to publish the name of the person, company, vessel or thing that has been exempted from the rule requirement. If you believe there is good reason for this information to be withheld from publication in the *Gazette* then please inform us of this with your application. We will consider this against our legal obligations.

Please refer to Maritime NZ's Privacy Statement on our website for information on how we deal with personal information, available here.

www.maritimenz.govt.nz/privacy

If you wish to access or correct personal information Maritime NZ holds about you, please contact the Privacy Officer at PO Box 25620, Wellington 6140, or phone (04) 473 0111.

5. Fees and payment

Application fee

There is a fee for your application. The fee is charged at an hourly rate of \$245 (including GST) per hour.

You can pay:

- online using a credit card or debit card, *or*
- by internet banking or bank deposit.

Refer to the Maritime NZ website for more information about fees and how to pay:

maritimenz.govt.nz/fees

maritimenz.govt.nz/howtopay

Invoice

You will be invoiced for the application fee once we have processed your application. A reference number and instructions explaining how to pay will be sent with the invoice.

You need to specify who the invoice is to be sent to.

Name to use on invoice	<input type="text"/>
Postal address	<input type="text"/>
	<input type="text"/>
City	<input type="text"/>
Country	<input type="text"/>
Postcode	<input type="text"/>

6. Where to send your form

Send your completed application form and the other supporting documents to Maritime NZ by email, courier or post.

If your application is incomplete, we will not process your application and will return all your application documents to you.

Sending your application by email is preferred. Remember to sign the declaration (both the owner and the surveyor) before scanning and attaching to the email. Make sure the scanned copies of your documents are legible and of a good quality.

Email your application to

exemptions.officer@maritimenz.govt.nz

Or

Courier your application to

Exemptions Officer
Maritime New Zealand
1 Grey Street
Wellington 6011
NEW ZEALAND

Or

Post your application to

Exemptions Officer
Maritime New Zealand
PO Box 25620
Wellington 6140
NEW ZEALAND