

Maritime Transport (Class Exemptions — Non-Metallic Piping (Bilge Piping)) Notice 2022

Pursuant to section 40AA(1)(b) of the Maritime Transport Act 1994, the Director of Maritime New Zealand, being satisfied of the matters set out in section 40AA(2) of that Act, gives the following notice.

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Notice

1. Title

This notice is the Maritime Transport (Class Exemptions — Non-Metallic Piping (Bilge Piping)) Notice 2022.

2. Commencement

This notice comes into force on 14 December 2022.

3. Interpretation

(1) In this notice, unless the context otherwise requires,—

Act means the Maritime Transport Act 1994

IACS means the International Association of Classification Societies

Length, for the purposes of this notice, has the same meaning as that defined in the applicable Maritime Rule Part for each type of ship, as set out in—

- (a) rule 40A.2, for non-SOLAS passenger ships;
- (b) rule 40C.2, for non-SOLAS non-passenger ships; and
- (c) rule 40E.2, for sailing ships

Rules means the following Maritime Rule Parts—

- (a) *Part 40A: Design, Construction and Equipment – Passenger Ships which are not SOLAS Ships;*
- (b) *Part 40C: Design, Construction and Equipment – Non-passenger Ships that are not SOLAS Ships; and*

(c) *Part 40E: Design, Construction and Equipment – Sailing Ships*

- (2) Any term or expression that is defined in the Act or the rules and used, but not defined, in this notice has the same meaning as in the Act or the rules.

4. Exemption for Bilge Piping for Non-SOLAS Passenger Ships

- (1) The class of ship described in subclause (2) is exempt from the requirements specified in rule 40A.29(2)(a)(iii) of the Maritime Rules, *Part 40A: Design, Construction and Equipment – Passenger Ships which are not SOLAS Ships*.
- (2) The class is any New Zealand ship that is a non-SOLAS passenger ship, of less than 24 metres in length, with a metallic hull.

5. Exemption for Bilge Piping for Non-SOLAS Non-passenger Ships

- (1) The class of ship described in subclause (2) is exempt from the requirements specified in rule 40C.25(2)(a)(iii) of the Maritime Rules, *Part 40C: Design, Construction and Equipment – Non-passenger Ships that are not SOLAS Ships*.
- (2) The class is any New Zealand ship that is a non-SOLAS non-passenger ship, of less than 24 metres in length, with a metallic hull.

6. Exemption for Bilge Piping for Sailing Ships

- (1) The class of ship described in subclause (2) is exempt from the requirements specified in rule 40E.26(5) of the Maritime Rules, *Part 40E: Design, Construction and Equipment – Sailing Ships*.
- (2) The class is any New Zealand ship that is a sailing ship, of less than 24 metres in length, with a metallic hull.

7. Conditions of Exemptions

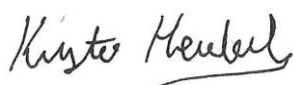
- (1) The exemptions in clauses 4, 5 and 6 are granted subject to the conditions set out in subclauses (2), (3), (4), (5) and (6).
- (2) The bilge piping arrangements must be approved by the attending Maritime New Zealand Recognised Surveyor.
- (3) The non-metallic bilge piping must be—
- (a) resistant to water; and
 - (b) resistant to petroleum products; and
 - (c) resistant to heat and vibration; and
 - (d) capable of operating under suction without collapse and resultant reduction in effective cross-sectional area; and
 - (e) capable of withstanding internal pressure within the system.
- (4) Non-metallic bilge piping may be used outside machinery spaces provided the piping complies with any of the following requirements:
- (a) piping has been type approved in accordance with *IMO Resolution A.753(18)* and its amendments, excluding the fire endurance test; or

- (b) *AS/NZ 3518 Standard: Acrylonitrile butadiene styrene (ABS) compounds, piping and fittings for pressure applications; or*
 - (c) piping has been type approved or otherwise tested and verified by an accredited independent test facility as being suitable for the intended application and the range of service temperatures and conditions that it will experience in service.
- (5) Non-metallic bilge piping may be used inside machinery spaces provided the piping complies with any of the following requirements:
- (a) piping has been type approved in accordance with *IMO Resolution A.753(18)* and its amendments, including the fire endurance test; or
 - (b) piping complies with the requirements of a recognised Classification Society, including any specific requirements applicable to the design of bilge systems containing non-metallic bilge pipe; or
 - (c) flexible bilge piping may be used if it has been tested and certified in accordance with IACS guidelines to the following standards, as applicable:
 - (i) *ISO 6802 - Rubber and plastics hoses and hose assemblies with wire reinforcements - Hydraulic pressure impulse test with flexing; and*
 - (ii) *ISO 6803 - Rubber and plastics hoses and hose assemblies - Hydraulic pressure impulse test without flexing; and*
 - (iii) *ISO 15540 - Ships and marine technology - Fire resistance of hose assemblies - Test methods; and*
 - (iv) *ISO 15541 - Ships and marine technology - Fire resistance of hose assemblies - Requirements for test bench; and*
 - (v) *ISO 10380 - Pipework - Corrugated metal hoses and hose assemblies.*
- (6) Plastic spiral wire supported hose must not be used inside of machinery spaces of Category A.

8. Expiry of Exemptions

- (1) The exemption in clause 4 of this notice expires on the sooner of:
- (a) the date that the exemption in clause 4 is revoked or replaced; or
 - (b) 1 December 2027.
- (2) The exemption in clause 5 of this notice expires on the sooner of:
- (a) the date that the exemption in clause 5 is revoked or replaced; or
 - (b) 1 December 2027.
- (3) The exemption in clause 6 of this notice expires on the sooner of:
- (a) the date that the exemption in clause 6 is revoked or replaced; or
 - (b) 1 December 2027.

Dated at Wellington this 7th of December 2022



Kirstie Hewlett
Director
Maritime New Zealand

Statement of Reasons

This notice exempts three separate classes of ship from compliance with certain specified requirements in Maritime Rules Parts 40A, 40C and 40E made under the Maritime Transport Act 1994 (see section 40AA(1)(b) of the MTA).

General provisions relating to the exemptions

The exemptions in clauses 4, 5 and 6 of this notice relate to rules 40A.29(2)(a)(iii), 40C.25(2)(a)(iii) and 40E.26(5) respectively. Those rules set minimum requirements for piping used in ship bilge systems. With some exceptions, in metallic-hulled ships, the piping must be of marine quality metal.

In respect of the requirements under rules 40A.29(2)(a)(iii), 40C.25(2)(a)(iii) and 40E.26(5), the exemptions will apply to the classes of ship described in clauses 4(2), 5(2) and 6(2) of this notice. The exemptions permit non-metallic piping to be used for bilge systems in the specified classes of metallic hulled ships, subject to the conditions set out in clause 7.

The exemptions enter into force on 14 December 2022 and will expire in accordance with the provisions of clause 8.

Director may grant exemptions from maritime rules

The Director of Maritime New Zealand, being satisfied as to the matters set out in section 40AA of the Act, thinks it appropriate to grant the class exemptions because:

- provided that the non-metallic piping concerned meets the applicable standards set out in the conditions, imposing the requirement that they be made of metal is unnecessary as the non-metallic piping is as effective in meeting desired objectives as the metallic piping required by the rules.
- there have been improvements in technology for non-metallic piping that are not reflected in the rules. As such, it is unreasonable to require that all bilge pipes be of metallic construction.

The Director is further satisfied that the exemptions meet the criteria in section 40AA(2) of the Act and conditions are appropriate as:

- **International convention requirements:** the relevant requirements in rules 40A.29(2)(a)(iii), 40C.25(2)(a)(iii) and 40E.26(5) do not implement any international conventions. Therefore granting the exemptions will not breach New Zealand's obligations under any convention (section 40AA(2)(a)).
- **Two of the criteria in section 40AA(2)(b) apply:**
 - *(ii) the manner in which the requirement has been, or is sought to be, fulfilled is as effective as or more effective than actual compliance with the requirement*
 - *(iii) the requirement is clearly unreasonable or inappropriate in this particular case*
 - the alternative approaches (and conditions) provided for non-metallic bilge piping in the exemptions meet International Maritime Organization (IMO) and/or Australian and New Zealand Standards and/or Classification Society

requirements as an acceptable alternative. Therefore, they will be as effective as compliance with the existing rule-based requirements (s.40AA(2)(b)(ii)).

- Further, the current content in the rules has not kept up with these developments and therefore it would be unreasonable to require compliance with the rule requirements for metallic pipes to be used in these circumstances (section 40AA(2)(b)(iii)).
- **Risk of harm to the marine environment and safety:** the alternative approach (and conditions) are considered to be as effective as compliance with the existing rule-based requirements. Accordingly, the risk of harm to the marine environment and to safety will not be significantly increased by granting the exemptions (section 40AA(2)(c) and (d)).