

Rule Clarification –

Vessels coming from Australia and vessels in Class

June 2018

ITN-08-18

Commercial vessels imported into New Zealand are required to comply with MR Part 40A, 40C, and/or 40D.

Design, construction and structural strength

- Those imported vessels:
 - may have been constructed under survey and certified to full Classification Society standards or
 - may have been constructed under survey and certified by a marine safety authority of one of the States or Territories of Australia, as complying with the design and construction requirements of either
 - (i) the Uniform Shipping Laws Code or
 - (ii) the National Standard for Commercial Vessels.
- If a vessel has been certified in the above manner, **and** the vessel also has equivalent operating limits in New Zealand **and** there have been no major modifications to the vessel:
 - then the vessel is deemed to have complied with:
 - construction approval in accordance with MR Part 40A.9(2), 40C.9(2), and/or 40D.9(2), and
 - design approval in accordance with 40A.7, 40C.7, and/or 40D.7, and
 - electrical design approval as per MR Part 40A.38, 40C.35, and/or 40D.30A.
- Please also note that these vessels are still required to comply with the other electrical requirements in the maritime rules:
 - MR 40A.39 to 40A.45 (Passenger vessel)
 - MR 40C.36 to 40C.42 (Non-passenger vessel)
 - MR 40D.30B to 40D.30E, 40D.31, 40D.32, 40D.32A to 40D.32C (Fishing vessel)
- A NZ recognised Electrical design approver, or electrical surveyor, may apply for exemptions from these maritime rule requirements.
 - Consideration should be given to addressing safety critical issues using AS/NZS 3004.2 – App C;
 - Consideration may be given to a staged approach to upgrading, provided this is clearly identified within the vessels survey plan.

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- If a staged approach is undertaken, the Certificate of Survey will likely be endorsed with a condition that “*complete electrical upgrade to be completed by dd mmm yyyy*”. The status of the phased upgrade of the electrical systems, if undertaken, should be reported at each survey of the vessel. On completion of the upgrade, any condition imposed on the Certificate of Survey would be removed.
- Regardless of anything mentioned above, a Design Approval by a NZ recognised Design Approver is required if the vessel has:
 - undergone major modifications, or
 - permanent changes to its operating limits, or
 - the scope of certification has changed.

Survey requirements

- All imported commercial vessels are required to comply with survey requirements in MR Part 40A.8, 40C.8, 40D.8.
- When a commercial vessel has been imported into New Zealand a NZ recognised “Initial” surveyor should verify that the vessel complies with all aspects of the Maritime and Marine Protection Rules. However, where differences are found, the vessel should either be made fully compliant with the rules, or hold an exemption (in accordance with section 47 or section 395 of the Maritime Transport Act 1994).
- Examples of Maritime Rules that may vary from Australian standards include: sill heights, door widths, egress and escapes, bilge piping and pumping systems, wheelhouse windows, and collision bulkheads.

Stability booklet

- When a commercial vessel has been imported into New Zealand it must meet the stability standards as described in MR 40A.13, 40C.13, 40D.33/34.
- Vessels imported from Australia or certified by a Classification Society may already hold a stability booklet approved by a recognised Classification Society or the AMSA administration.
- Provided the vessel has not:
 - undergone a major modification, or
 - made permanent changes to the scope of its operation, or
 - made changes to its operating limits
 - then the NZ recognised surveyor should examine the stability booklet approved by a recognised Classification Society or AMSA.
- The recognised surveyor should then undertake testing (as applicable) to determine the lightship weight and the centre of gravity (CG).
- Those results can be verified against the existing stability booklet, in order for the surveyor to satisfy themselves of the vessel’s compliance with the rules.

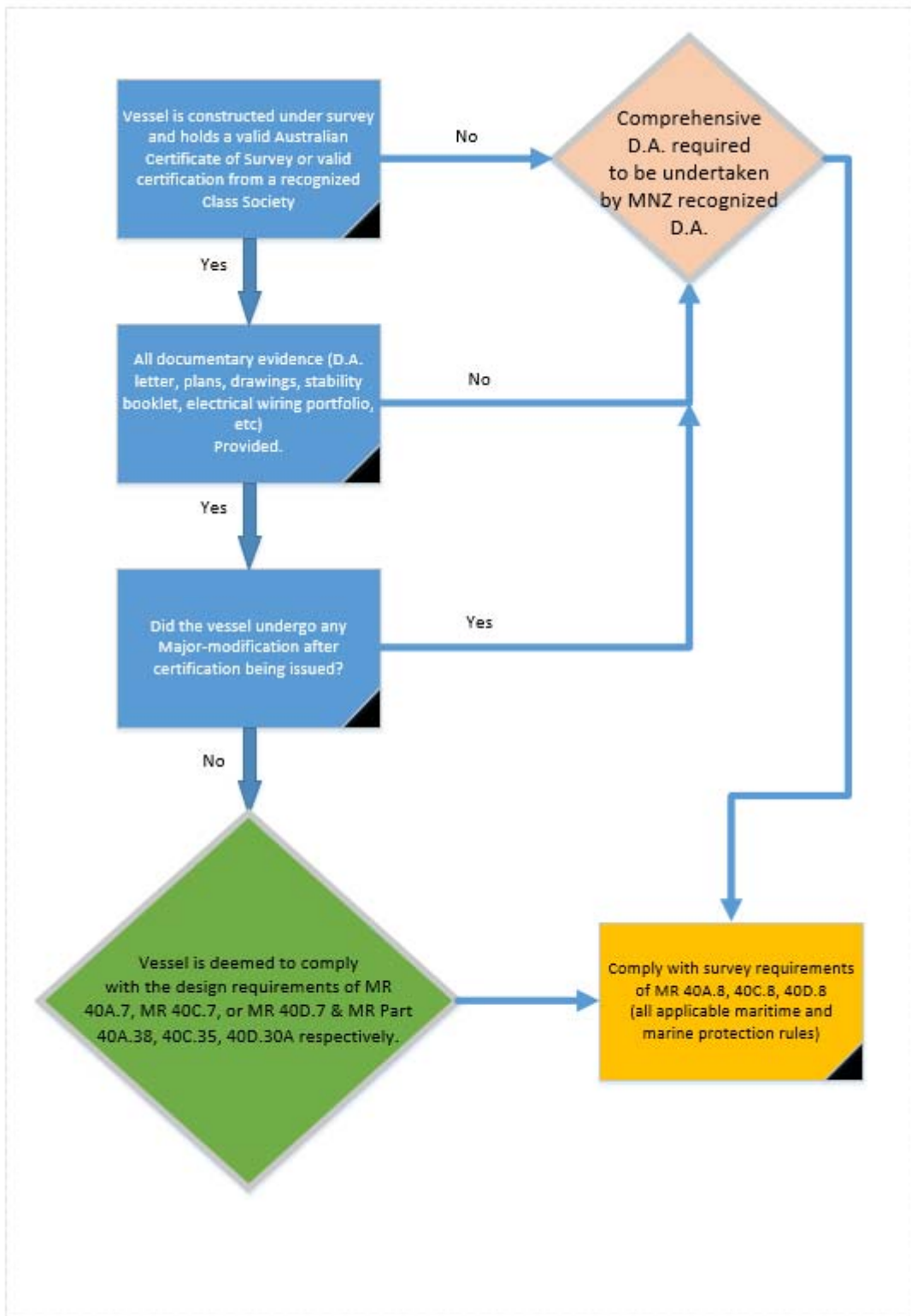
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- If the surveyor is satisfied that the existing stability book meets the requirements of the rules, then the Director will accept the existing stability book – as being in a form acceptable to the Director.

Owners responsibility

- Prior to purchasing and importing a commercial vessel, it is recommended that a due diligence assessment is undertaken to ensure that any vessel imported into New Zealand is compliant with the Maritime and Marine Protection Rules. As part of this, **owners should try to obtain any relevant design documents, and approved plans from the previous owner, AMSA or the Classification Society.**
- Furthermore, it is recommended that prior to purchase, an AMSA accredited or NZ recognised electrical surveyor undertakes an electrical inspection to ensure compliance with the Appendix C checklist (C10 & C11) from AS/NZS 3004.2, and to ensure compliance in relation to electrical requirements as stated in the New Zealand Maritime and Marine Protection rules. This information should be subsequently provided to an MNZ recognised electrical surveyor or electrical design approver, in order for the surveyor or approver to satisfy themselves of the vessel's compliance with the New Zealand Maritime and Marine Protection Rules.

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