

# Maritime Rules

## Part 31: Crewing and Watchkeeping

MNZ Consolidation

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## Part objective

The objective of this Part is to provide for requirements relating to the minimum crew numbers and crew certificates and qualifications for New Zealand and foreign passenger and non-passenger commercial ships and fishing vessels, subject to some exceptions. It also provides for a process for the issue of Minimum Safe Crewing Documents. This Part also sets out requirements relating to fitness for duty, prescribed hours of rest, and watchkeeping that apply in relation to some ships in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) and, so far as they apply in relation to the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F).

To the extent that subpart A and some of the provisions of subpart B relate to ships to which the International Convention for the Safety of Life at Sea (SOLAS Convention) applies, this Part implements:

- the requirements of Chapter V, Regulation 14 of the SOLAS Convention; and
- the principles of International Maritime Organization Assembly Resolution A.1047(27) Principles of Safe Manning.

Through an amendment to Section A-VIII/I of the STCW Code, Subpart A also aligns with requirements of the International Labour Organization's "Maritime Labour Convention" related to working conditions on a ship.

Authority for making Part 31 is found in section 36(1)(b), (j) (n), (o), (p), (u), (za) and (zb) of the Maritime Transport Act 1994.

Maritime rules are subject to the Legislation Act 2012. Under that Act, the rules are required to be tabled in the House of Representatives. The House of Representatives may, by resolution, disallow any rules. The Regulations Review Committee is the select committee responsible for considering rules under the Legislation Act.

### Disclaimer:

This document is the current consolidated version of Maritime Rules Part 31 produced by Maritime New Zealand, and serves as a reference only. It has been compiled from the official rules that have been signed into law by the Minister of Transport. Copies of the official rule and amendments as signed by the Minister of Transport may be downloaded from the Maritime New Zealand website. [www.maritimenz.govt.nz](http://www.maritimenz.govt.nz)

## History of Part 31

Part 31 first came into force on 1 April 2014.

<b>Amendment</b>	<b>Effective date</b>
Amendment 1	1 January 2015
Amendment 2	1 April 2015
Amendment 3	30 September 2016
Amendment 4	1 November 2016
Amendment 5	9 March 2017
Amendment 6	4 March 2018
Amendment 7	1 July 2018

## Summary of amendments

<b>Amendment 1</b> Maritime Rules Various Amendments 2014	Table of contents, 31.84(2)(a), Table 20,
<b>Amendment 2</b> Maritime Rules Various Amendments 2015	31.2
<b>Amendment 3</b> Maritime Rules Parts 31, 32, and 34 SeaCert Amendments 2016	Table of contents, 31.2, 31.84, Table 10, Table 11, Table 16, Subpart E, 31.100, Table 20, 31.102
<b>Amendment 4</b> Maritime Rules Various Amendments 2016	Table 8
<b>Amendment 5</b> Part 52: Maritime Labour Convention	Part objective, 31.43(1)(c)(i)
<b>Amendment 6</b> STCW-F related Amendments 2017	Part 31 General, 31.1 Application , 31.2 Definitions, 31.64 Other minimum crewing requirements for fishing vessels, 31.80 Application, 31.87 New rule
<b>Amendment 7</b> Maritime Rules Various Amendments (Changes Related to Conventions) 2017	Rules 31.2 Definitions, 31.47A and 31.47B and Table 6A (New Rules)

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## General

### 31.1 Application

- (1) Except as provided in subrules (2) and (3), this Part applies to—
  - (a) New Zealand ships that are commercial ships and that are—
    - (i) SOLAS ships; or
    - (ii) passenger ships; or
    - (iii) non-passenger ships; and
  - (b) New Zealand fishing vessels; and
  - (c) ships to which rule 31.57 (which relates to foreign ships) applies, to the extent specified in that rule; and
  - (d) ships to which rule 31.87 (which relates to foreign fishing ships) applies, to the extent specified in that rule.
- (2) This Part does not apply to—
  - (a) pleasure craft; or
  - (b) a ship under tow; or
  - (c) ships undergoing sea trials within restricted limits; or
  - (d) a bareboat charter sailing ship; or
  - (e) ships to which Part 81 applies; or
  - (f) commercial jetboats to which Part 82 apply; or
  - (g) hire and drive boats as defined in rule 40A.72 of Part 40A of the Maritime Rules; or
  - (h) ships to which Part 40G applies; or
  - (i) eel fishing vessels.
- (3) When a ship is one to which Part 19 applies, this Part does not apply to the non-commercial use of a commercial ship during the period of the non-commercial use.

### 31.2 Definitions

In this Part, unless the context otherwise requires—

**Act** means the Maritime Transport Act 1994:

**ancillary proficiency** has the same meaning as in Part 32:

**Antarctic area** means the sea area south of latitude 60° S:

**approved** means approved in writing by the Director for the relevant purpose:

**approved security plan** mean a security plan that has been approved under the Maritime Security Act 2004:

**Arctic waters** means those waters which are located north of a line from the latitude 58°00'.0 N and longitude 042°00'.0 W to latitude 64°37'.0 N, longitude 035°27'.0 W and thence by a rhumb line to latitude 67°03'.9 N, longitude 026°33'.4 W and thence by a rhumb line to the latitude 70°49'.56 N and longitude 008°59'.61 W (Sørkapp, Jan Mayen) and by the southern shore of Jan Mayen to 73°31'.6 N and 019°01'.0 E by the Island of Bjørnøya, and thence by a great circle line to the latitude 68°38'.29 N and longitude 043°23'.08 E (Cap Kanin Nos) and thence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60° N as far as Il'pyskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60° N and thence eastward along parallel of latitude 60° N, to longitude 056°37'.1 W and thence to the latitude 58°00'.0 N, longitude 042°00'.0 W:

**bareboat charter sailing ship** means a sailing ship that is let for hire or reward, without a skipper, including a sailing ship provided in conjunction with a holiday establishment or hotel for the use of guests or tenants, and that the hirer uses solely for pleasure:

**bergy waters** means an area of freely navigable water in which—

- (a) ice of land origin is present in concentrations less than 1/10; or
- (b) ice of land origin and sea ice are present in concentrations together less than 1/10:

**certificate** means a certificate of competency or a certificate of proficiency:

**certificate of competency** has the same meaning as in Part 32:

**certificate of proficiency** has the same meaning as in Part 32:

**certificated seafarer** means a seafarer holding a certificate of proficiency or certificate of competency (or a deemed certificate of proficiency or certificate of competency) under Part 32:

**chemical tanker** has the meaning given to it in STCW:

**chief engineer** means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship:

**chief mate** means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master:

**coastal limits** has the same meaning as in Part 20:

**commercial ship** has the same meaning as in section 2 of the Act:

**crew** has the same meaning as in section 2 of the Act:

**designated safety, security, or marine environmental duties** means, in relation to a ship, the duties identified as safety, security, or marine environmental duties in any of the following documents:

- (a) a document outlining the safety management system of the ship;
- (b) a document outlining the shipboard procedures for the ship;
- (c) the employment contract for an individual seafarer:

**Document for Guidance on Training and Certification of Fishing Personnel** means the document of that name approved by the Food and Agriculture Organization (FAO), International Labour Organization (ILO) and the International Maritime Organization (IMO) in 2000 and published on behalf of those three organisations in 2001:

**eel fishing vessel** means a ship used exclusively for eel fishing—

- (a) for which a fishing permit is held under section 91 of the Fisheries Act 1996; and
- (b) that is less than 6 metres in length; and
- (c) that operates less than 2 nautical miles from the coast:

**enclosed water limits** has the same meaning as in Part 20:

**fast rescue boat** means a rescue boat which is—

- (a) not less than 6 metres in length and not more than 8.5 metres in length; and
- (b) capable of manoeuvring, for at least 4 hours, at a speed of at least 20 knots in calm water with a suitably qualified crew of 3 persons and at least 8 knots with a full complement of persons and equipment:

**fishing ship** has the same meaning as in section 2 of the Act:

**fishing vessel** means a ship that is required to be registered under New Zealand fisheries legislation:

**foreign fishing ship** means a ship that is—

- (a) not a New Zealand ship; and
- (b) a fishing ship:



**GT** means gross tonnage:

**high-speed** craft has the same meaning as in section 2 of Part 40A:

**HSC Code means** the International Code of Safety for High-Speed Craft, 2000, adopted by the Maritime Safety Committee of the International Maritime Organization by resolution MSC.97(73), as amended by that Committee from time to time:

**ice free waters** means no ice present:

**ice of land origin** means ice that is floating in water and formed either on land or in an ice shelf:

**IGF Code** means the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels adopted by the International Maritime Organization:

**inshore fishing limits** has the same meaning as in Part 20:

**inshore limits** has the same meaning as in Part 20:

**kW**, in relation to a ship, means the kilowatts of the propulsion power of a ship:

**length** —

- (a) for the purposes of applying any rule in this Part, to the extent that the rule applies to a ship that is operating within restricted limits, or to a person in relation to a ship that is operating within restricted limits, means length overall; and
- (b) in any other case, means 96 percent of the total length on a waterline at 85 percent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that is the greater length. In ships designed with a rake of keel, the waterline on which this length is measured must be parallel to the design waterline:

**length overall** means the length 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 for the purposes of this Part—

- (a) does not include fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, jet and outboard drive units) that project beyond these terminal points; and
- (b) includes structures (such as bulbous bows, deckhouses, free flooding bait tanks and buoyancy tubing) that project beyond these terminal points:

**liquefied gas tanker** has the meaning given to it in STCW:

**master** has the same meaning as in section 2 of the Act:

**Minimum Safe Crewing Document** means the minimum safe manning document required by Regulation 14 of Chapter V of SOLAS, as amended:

**New Zealand fishing vessel** means a fishing vessel that is a New Zealand ship:

**New Zealand inland waters** means all rivers, lakes and other inland waters of New Zealand, which are navigable:

**New Zealand non-passenger ship** means a non-passenger ship that is a New Zealand ship:

**New Zealand passenger ship** means a passenger ship that is a New Zealand ship:

**New Zealand ship** has the same meaning as in section 2 of the Act:

**New Zealand waters** has the same meaning as in section 2 of the Act:

**non-commercial use**, in relation to a ship, means the operation of the ship for a period, not for hire and reward, and exclusively during that period, for relocation, sea trials, or the owner's pleasure:

**non-passenger ship** means a ship that is not a passenger ship or a fishing vessel:

**NZOM** means a certificate as New Zealand offshore master that was valid under former Part 32 prior to its revocation by Part 32:

**NZOW** means a certificate as New Zealand offshore watchkeeper that was valid under former Part 32 of the Maritime Rules prior to its revocation by Part 32:

**offshore limits** has the same meaning as in Part 20:

**oil tanker** has the meaning given to it in STCW:

**open water** means a large area of freely navigable water in which sea ice is present in concentrations less than 1/10 and no ice of land origin is present:

**other waters** means polar waters that are not ice free waters and not open water:

**owner** has the same meaning as in section 2 of the Act:

**passenger** has the same meaning as in section 2 of the Act:

**passenger ship** means a ship that carries more than 12 passengers beyond restricted limits or that carries any passengers within restricted limits:

**pleasure craft** has the same meaning as in section 2 of the Act:

**Polar Ship Certificate** means a maritime document issued under Part V of the Act in accordance with rule 46.13(7C) of Part 46:

**Polar Ship Document of Compliance** means a maritime document issued under Part V of the Act in accordance with rule 46.14(11) of Part 46:

**polar waters** means any of the following:

- (a) Arctic waters:
- (b) the Antarctic area:

**prescribed endorsement** has the same meaning as in Part 32:

**propulsion power** means—

- (a) in relation to a ship to which subpart B or subpart C applies, means the total maximum continuous rated output power, in kilowatts, of all the ship's main propulsion machinery; and
- (b) in relation to a ship to which subpart D applies, means the total maximum continuous rated output power, in kilowatts, of the ship's highest powered propulsion machinery:

**qualified crew** means crew that hold the relevant appropriate certificates or endorsements, or are able to demonstrate the relevant ancillary proficiencies in accordance with Part 32:

**rescue boat** means a boat designed to rescue persons in distress and to marshal survival craft:

**restricted limits** has the same meaning as in Part 20:

**ring-fenced certificate** means a certificate (including any endorsements) that has been ring-fenced under subpart F of Part 32 with the effect that its validity has been preserved:

**sailing ship** means a ship that—

- (a) is designed to be navigated under wind power alone and for which any motor provided is an auxiliary means of propulsion; or
- (b) has a non-dimensional ratio (sail area) divided by (volume of displacement)<sup>2/3</sup> of more than 9:

**seafarer**—

- (a) B means any person who—
- (i) is employed or engaged on any ship in any capacity for hire or reward; or
  - (ii) works on any ship for gain or reward otherwise than under contract of employment; but
- (b) does not include—
- (i) a pilot or any other person temporarily employed on a ship while it is in port; or
  - (ii) a person who is appointed as an observer under New Zealand fisheries, maritime or environmental legislation:

**sea ice** means any form of ice found at sea which has originated from the freezing of sea water:

**second engineer** means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer officer:

**ship** has the same meaning as in section 2 of the Act:

**square rigged sailing ship** means a sailing ship, the primary driving sails of which are carried on horizontal spars which are perpendicular, or square to the keel and the masts of the ship:

**SOLAS** means the International Convention for the Safety of Life at Sea 1974, the Protocols relating to that Convention and the annexes to the Convention and those Protocols:

**SOLAS ship** has the same meaning as in Part 21:

**specified certificate** means a specified certificate Type-A, a specified certificate Type-B, or a specified certificate Type-C as defined under subpart F of Part 32:

**STCW** means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended:

**STCW certificate** means a certificate issued under Subpart C of Part 32:

**STCW Code** means the Standards' of Training, Certification and Watchkeeping Code, as substituted or amended:

**STCW-F** means the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995, as amended:

**steam ship** means a ship with main propulsion machinery of a reciprocating steam type:

**superyacht** means a commercial yacht or a sail training vessel of 24 metres and over in length and of less than 3000 GT and which does not carry cargo and does not carry more than 12 passengers:

**survival craft** means a craft capable of sustaining the lives of persons in distress from the time of abandoning the ship:

**system** means any system as defined in the Act for which an engineer is responsible, other than the main propulsion machinery:

**tanker** means any chemical tanker, liquefied gas tanker, or oil tanker:

**unlimited area** has the same meaning as in Part 20.

31.3 Abbreviations of names of certificates

The table below sets out the abbreviations used for certificates referred to in this Part and the full name of the certificate to which the abbreviation relates, which corresponds to the relevant certificate described in rule 32.03 of Part 32.

Table 1: Abbreviations of names of certificates and other details

Abbreviation	Full name of certificate
AB Deck	Able seafarer deck
AB Engine	Able seafarer engine
ADH-F	Advanced deck-hand – fishing
DWR	Deck watch rating
EWR	Engine room watch rating
ETO	Electro-technical officer
ETR	Electro-technical rating
IR	Integrated rating
Master <500GT NC	Master on ships less than 500GT in the near-coastal area
MEC 1	Marine engineer class 1
MEC 2 ECE	Marine engineer class 2 endorsed Chief engineer
MEC 2 <3000kW	Marine Engineer class 2 on ships less than 3000 kW
MEC 2	Marine engineer class 2
MEC 3	Marine engineer class 3
MEC 4	Marine engineer class 4
MEC 5	Marine engineer class 5
MEC 6	Marine engineer class 6
MFV	Mate fishing vessel limited
MFV-U	Mate fishing vessel unlimited
QDC	Qualified deck crew
SCO	Skipper coastal/offshore
SFV	Skipper fishing vessel - limited
SFV-U	Skipper fishing vessel - unlimited

<b>SRL &lt; 24m</b>	Skipper restricted limits endorsed to 24m
<b>SRL &lt; 500GT</b>	Skipper restricted limits endorsed to 500GT
<b>SRL</b>	Skipper restricted limits
<b>Watchkeeper deck &lt;500GT NC</b>	Watchkeeper deck on ships less than 500 GT in the near coastal area

**31.4 Requirement to operate ships in accordance with this Part**

No person may operate a ship to which this Part applies except in accordance with this Part.

## Subpart A – General crewing and other requirements

### *General duty related to minimum crewing*

#### **31.20 General duty related to minimum crewing**

- (1) The owner and the master of a ship to which this Part applies must—
  - (a) monitor, on an on-going basis, the effectiveness of the crew carried; and
  - (b) ensure that the total crew carried on board includes sufficient crew and sufficient qualified crew to operate the ship safely in accordance with—
    - (i) a minimum safe crewing assessment under rule 31.21; and
    - (ii) where applicable, a minimum safe crewing document issued by the Director under rule 31.22.
- (2) This rule applies in addition to any specific requirements relating to crew and certificates, endorsement or ancillary proficiencies required to be held or demonstrated by crew that are set out in subparts B, C or D.

#### **31.21 Minimum safe crewing assessment**

- (1) For the purposes of rule 31.20, the owner and master must ensure that there are on board sufficient crew and sufficient qualified crew to—
  - (a) maintain safe navigational, port, engineering, and radio watches in accordance with the requirements of this Part and to maintain general surveillance of the ship; and
  - (b) moor and unmoor the ship safely; and
  - (c) manage the safety functions of the ship when employed in a stationary or near stationary mode at sea; and
  - (d) perform operations, as appropriate, for the prevention of damage to the marine environment; and
  - (e) maintain the safety arrangements and the cleanliness of all accessible spaces to minimise the risk of fire; and
  - (f) provide for medical care on board the ship; and
  - (g) in relation to passenger and non-passenger ships, ensure safe carriage of passengers and cargo during transit; and
  - (h) conduct all stages of the ship's operation or, in relation to fishing vessels, the fishing operation, safely; and
  - (i) inspect and maintain, as appropriate, the structural integrity of the ship; and
  - (j) operate all watertight closing arrangements and maintain them in effective condition and also deploy a competent damage control party; and
  - (k) operate all on-board fire-fighting and emergency equipment and life-saving appliances, carry out such maintenance of this equipment as is required to be done at sea, muster and disembark all persons on board, and assist passengers in an emergency; and
  - (l) operate the main propulsion and auxiliary machinery, including power systems above 1,000 volts and pollution prevention equipment, and maintain it in a safe condition to enable the ship to overcome the foreseeable perils of the voyage; and
  - (m) supply provisions for and prepare nutritious meals on board the ship.
- (2) In complying with the requirements of subrule (1), the owner and master of a ship must take into account—
  - (a) the requirements in the Act; and
  - (b) any maritime rules covering—
    - (i) watchkeeping; and
    - (ii) fitness for duty; and
    - (iii) safety management; and
    - (iv) certification and licensing of seafarers; and
    - (v) training of seafarers; and
    - (vi) crew accommodation; and

- (c) the provisions of any approved security plan in respect of that ship.
- (3) In complying with the requirements of subrule (1), the owner and master of a ship must also take into account the following:
  - (a) on-going training needs for all crew including the operation and use of fire-fighting and emergency equipment, life-saving appliances and watertight closing arrangements; and
  - (b) specialised training requirements for particular types of ships and in instances where crew members are engaged in shipboard tasks that cross departmental boundaries; and
  - (c) provision of proper food and drinking water; and
  - (d) the need to undertake emergency duties and responsibilities; and
  - (e) the need to provide training opportunities for entrant seafarers to allow them to gain the training and experience needed.
- (4) In complying with the requirements of subrule (1)(f), the owner and the master of a ship must ensure that there are sufficient crew on board that are able to demonstrate first aid or medical ancillary proficiencies to meet the needs of any reasonably foreseeable medical emergency on board.

### *Minimum Safe Crewing Document*

#### **31.22 Application for Minimum Safe Crewing Document**

- (1) This rule applies for the purposes of rules 31.42(a), 31.82(1) and 31.84(2)(a).
- (2) An owner may apply under this rule for a Minimum Safe Crewing Document in respect of a ship or for renewal of an existing Minimum Safe Crewing Document in respect of a ship.
- (3) The applicant must include, in a form required by the Director,—
  - (a) a proposal for a minimum safe crewing level in accordance with rule 31.23; and
  - (b) such further relevant particulars relating to the applicant as may be required by the Director.
- (4) Every application must be submitted to the Director, with a payment of the appropriate application fee prescribed by the regulations made under the Act.
- (5) The Director must issue a Minimum Safe Crewing Document if satisfied that the proposal for a minimum safe crewing level—
  - (a) meets the requirements of rule 31.23; and
  - (b) adequately takes account of—
    - (i) the matters that must be considered or completed as part of a minimum crewing assessment under rule 31.21; and
    - (ii) in the case of ships to which subpart B applies, the principles for minimum safe crewing set out in Resolution A.1047(27) of the International Maritime Organization, as substituted or amended.
- (6) A Minimum Safe Crewing Document must specify the following with reference as necessary to the type of ship and the main aspects of the type of ship operation—
  - (a) the number of crew to be carried on the ship to which it relates; and
  - (b) the certificates and endorsements that the master and crew must hold, and the ancillary proficiencies they must demonstrate.
- (7) A Minimum Safe Crewing Document remains in force for whichever is the lesser period of time:
  - (a) 5 years from the date of issue or renewal (as applicable); or
  - (b) until the ship undergoes a change in trading area, construction, machinery, equipment, operation or maintenance that affects the minimum safe crewing level.
- (8) An owner who holds a Minimum Safe Crewing Document issued under subrule (5) that is due to expire may apply for renewal of the Minimum Safe Crewing Document in accordance

with the requirements of this Part relating to a Minimum Safe Crewing Document.

- (9) For the avoidance of doubt, a Minimum Safe Crewing Document issued under this rule is not a maritime document.

### **31.23 Proposal for minimum safe crewing level**

For the purposes of rule 31.22, the proposal for a minimum safe crewing level must—

- (a) provide an assessment of the crew's tasks, duties and responsibilities that are necessary to operate the ship safely, protect the marine environment, and deal with emergency situations; and
- (b) provide an assessment of the number and grades or capacities of the crew necessary to operate the ship safely, protect the marine environment, and deal with emergency situations; and
- (c) propose a minimum safe crewing level based on the assessment of the numbers and grades or capacities of the ship's crew, together with an explanation of how the ship's proposed crew will deal with emergency situations including, where necessary, the evacuation of passengers; and
- (d) address how the minimum safe crewing level will be adequate at all times and in all respects, taking into account requirements for cargo operations in port or at sea, and including meeting the requirements of peak workload situations; and
- (e) specify how the effectiveness of the proposed minimum safe crewing level will be monitored; and
- (f) specify what consultation on the proposed minimum safe crewing level has taken place, and what the results of that consultation were.

### **31.24 Duty to carry Minimum Safe Crewing Document**

Where the owner of a ship holds a Minimum Safe Crewing Document, the owner must ensure that the Minimum Safe Crewing Document is displayed on the ship at all times or, if that is not practicable, ensure that the document is available for inspection at any reasonable time by the crew or any other person entitled to inspect it.

### *Other*

### **31.25 Duty of crew to hold certificates and to be able to demonstrate ancillary proficiencies**

- (1) No person may act in a crew position for which a specific certificate or endorsement is required under either a Minimum Safe Crewing Document or a provision of this Part unless that person holds the specific certificate or endorsement or a higher grade of certificate or endorsement that gives the required privileges.
- (2) No person may act in a crew position for which a specific ancillary proficiency is required under either a Minimum Safe Crewing Document or a provision of this Part unless the person is able to demonstrate the ancillary proficiency in accordance with rule 32.16 and 32.170 of Part 32.

### **31.26 Additional duties of owner and master**

- (1) Where a Minimum Safe Crewing Document requires a watchkeeper to be carried on board that is additional to the watchkeepers otherwise required under this Part, the owner and the master must ensure that any additional watchkeeper holds at least the minimum applicable watchkeeping certificate for that class of ship.
- (2) Where this Part allows a master or deck watchkeeper to perform the duties of an engineer, the owner and master must ensure that the ship is fitted with means to allow the main engine to be controlled and monitored from the deck watchkeeping position.
- (3) The owner and master must ensure that crew have successfully completed specialised training of an appropriate type to an adequate standard in any case—
  - (a) in which there is generally accepted best practice that one or more crew on board require specialised training because of the size and type of the ship or the nature of the



- ship's operations; and
- (b) the specialised training is not otherwise provided for in this Part.

### **31.27 Substitution of higher grade certificate**

Where this Part prohibits an owner or master from operating a ship unless there are on board one or more crew with a specific certificate, a higher grade of certificate (together with any prescribed endorsements) that gives the required privileges may be substituted.

### **31.28 Foreign certificates**

- (1) A foreign certificate may, for the purposes of this Part, be treated as if it were a certificate, prescribed endorsement or ancillary proficiency held or demonstrated in accordance with Part 32 where—
  - (a) this Part requires a person to hold a certificate or prescribed endorsement or demonstrate an ancillary proficiency in accordance with Part 32; and
  - (b) a person holds a foreign certificate that the Director has recognised under section 41 of the Act as equivalent to the certificate or prescribed endorsement or ancillary proficiency.
- (2) A person who holds a temporary permit to serve under rule 32.26 of Part 32 may be treated as if it were a certificate or prescribed endorsement or ancillary proficiency held or demonstrated in accordance with Part 32 where—
  - (a) this Part requires a person to hold a certificate or prescribed endorsement or demonstrate an ancillary proficiency in accordance with Part 32; and
  - (b) the Director has issued a letter of permission under rule 32.26 of Part 32 that the person may rely on in place of that certificate or endorsements or ancillary proficiency.

### **31.29 Fitness for duty**

- (1) The owner and the master of a ship to which subpart B or a fishing vessel to which subpart C applies must establish and implement procedures to ensure each seafarer is fit for duty, taking into account—
  - (a) the cycles of work, and nature of the work, expected to be encountered during the voyage; and
  - (b) contingency arrangements to overcome any reasonably foreseeable perils that may arise during a voyage; and
  - (c) the nature and causes of impairment of seafarers, especially fatigue, stress and alcohol or drug consumption.
- (2) An owner and master must, when implementing procedures prescribed in subrule (1), ensure those procedures comply with sections 17(3) and (4) of the Act.
- (3) A crew member of a ship must ensure that he or she is fit for duty when keeping watch and undertaking other operational duties.
- (4) In complying with subrule (3), the crew member must take into account—
  - (a) the nature of the duties to be undertaken; and
  - (b) the impact of fatigue, stress and alcohol or drug consumption on his or her ability to undertake his or her duties.

### **31.30 Hours of rest on ships to which subpart B applies**

In addition to the requirements of rule 31.29, the master and owner of a ship to which subpart B applies must establish and enforce rest periods for watchkeeping personnel and those seafarers whose duties involve designated safety, security or marine environmental duties in accordance with the provisions of section A-VIII/1 of the STCW Code.

## Subpart B – SOLAS and STCW ships

### 31.40 Application of this subpart

- (1) Except as provided in rule 31.1(2) and (3), this subpart applies to New Zealand ships that are commercial ships and that are also—
  - (a) SOLAS ships; or
  - (b) passenger or non-passenger ships operating beyond restricted limits but within coastal or offshore limits and that are—
    - (i) 24 metres or more in length; or
    - (ii) 500 GT or more; or
  - (c) passenger or non-passenger ships operating in the unlimited area; or
  - (d) passenger or non-passenger ships of 3000 GT or more operating within restricted limits; or
  - (e) passenger or non-passenger ship operating within restricted limits where—
    - (i) the Director considers the ship has equivalent crewing requirements to a type of ship referred to in subrule (1)(a),(b),(c) or (d); and
    - (ii) the Director notifies the owner of the ship to that effect in writing.
- (2) Subpart B also applies to ships to which rule 31.57 (which relates to foreign ships) applies, to the extent specified in that rule.

### 31.41 Watchkeeping arrangements and principles

- (1) The master of a ship described in rule 31.40(1) must ensure that any watchkeeping arrangements are in accordance with Regulation VIII/2 of STCW.
- (2) The owner and the master of a ship described in rule 31.40(1) and any person engaged in watchkeeping duties on the ship must observe the standards for watchkeeping set out in Section A-VIII/2 of the STCW Code.

### 31.42 Minimum watchkeeping and special crewing requirements

The owner and the master of a ship described in rule 31.40(1) must not operate that ship unless there are on board—

- (a) at least the minimum number of crew including seafarers holding or demonstrating certificates, prescribed endorsements or ancillary proficiencies as required by a Minimum Safe Crewing Document that has been issued under Subpart A and remains in force; and
- (b) in relation to any ships operating in the unlimited area, the minimum number of crew holding the certificates prescribed by rule 31.43; and
- (c) in relation to ships operating within the coastal and offshore limits, the minimum number of crew holding the certificates prescribed in rule 31.44; and
- (d) in relation to any ship to which rules 31.45 to 31.50 apply (which relate to ships with special requirements), the minimum number of crew holding the certificates prescribed in the applicable rule.

### 31.43 Unlimited area

- (1) For the purpose of rule 31.42(b), ships operating in the unlimited area must carry at least:
  - (a) the navigational watchkeepers specified in Table 2; and
  - (b) the engine room watchkeepers specified in Table 3; and
  - (c) if the ship is over 1000 GT, a cook who—
    - (i) holds a National Certificate in Hospitality (Cookery) (Level 3) or an equivalent, or a New Zealand Certificate in Cookery (Level 3) or an equivalent; and
    - (ii) demonstrates the following ancillary proficiencies in accordance with rules 32.16 and 32.170 of Part 32:
      - (a) STCW basic training; and

(b) survival craft and rescue boats other than fast rescue boats.

- (2) Despite subrule (1), the Director may permit non-passenger ships of less than 500GT that are described in Table 4 and operating in the unlimited area to carry at least the minimum crew specified in Table 4, including persons holding the certificates specified in that Table, until the close of 31 December 2016.

**Table 2 Unlimited area – Navigational Watchkeeping**

Class of ship	Navigational watchkeeping certificates required	Conditions and exceptions
Passenger ships, non-passenger ships and tankers of 3000 GT or more	Master – Master Chief Mate – Chief mate Watchkeeper – 2 x Watchkeeper deck Ratings – 3 x DWR	All extra Watchkeeping officers must hold Watchkeeper Deck.  In addition to DWR watchkeepers, an appropriate number of experienced persons holding certificates as AB Deck or IR are required on board.
Passenger ships and tankers between 500 and 3000 GT	Master – Master <3000GT Chief Mate – Chief mate <3000GT Watchkeeper – 2 x Watchkeeper deck Ratings – 3 x DWR	
Non-passenger ships between 500 and 3000 GT	Master – Master <3000GT <sup>1</sup> Chief Mate – Chief mate<3000GT <sup>2</sup> Watchkeeper – 2 x Watchkeeper deck Ratings – 2 x DWR	
Passenger ships, non-passenger ships and tankers of less than 500 GT	Master – Master <500GT <sup>3</sup> Chief Mate – Watchkeeper deck <sup>2</sup> Watchkeeper – Watchkeeper deck Ratings – 2 x DWR	

**Table 3 Unlimited area – Engine Room Watchkeeping**

Class of Ship	Engine room watchkeeping certificates required	Conditions and exceptions
Passenger ships of 3,000 kW or more	Chief Engineer – MEC 1 2nd Engineer – MEC 2 3rd Engineer – MEC 3 4th Engineer – MEC 3 Rating – EWR	In addition to EWR watchkeepers, an appropriate number of experienced persons holding certificates as AB Engine or IR are required on board.
Tankers of 3000 kW or more	Chief Engineer – MEC 1 2nd Engineer – MEC 2 3rd Engineer – MEC 3	

1 Master Yacht <3000GT if Superyacht

2 Chief Mate Yacht if Superyacht

3 Master Yacht <500GT if Superyacht

Class of Ship	Engine room watchkeeping certificates required	Conditions and exceptions
	Rating – EWR	vessels that have power systems over 1000 volts must have appropriate certification.
Passenger ships of 750 kW or more and less than 3000 kW	Chief Engineer – MEC 2 ECE 2nd Engineer – MEC 2 <3000 kW	
Passenger ships of less than 750 kW, and which are 500 GT or more		
Tankers of 750 kW or more and less than 3000 kW and which are 500 GT or more	Chief Engineer – MEC 1 2nd Engineer – MEC 2 <3000kW Rating – EWR	
Non-passenger ships of 3000 kW or more		
Tankers of 750 kW or more and less than 3000 kW, and which are less than 500 GT	Chief Engineer – MEC 2 ECE 2nd Engineer – MEC 2 <3000kW	
Non-passenger ships of 750 kW or more and which are less than 3000 kW		
Tankers and non-passenger ships of less than 750 kW, and which are 500 GT or more	Engineer – MEC 2 ECE	
Tankers and non-passenger ships of less than 750 kW, and which are less than 500 GT	Engineer – MEC 2 <3000kW	

**Table 4 Unlimited area – Rule 31.43(2) (applies up to December 31 2016 only)**

Class of ship	Watchkeeping certificates required	Conditions and exceptions
Non-passenger ship of 15 metres or more in length, and carrying more than 6 passengers	Master –NZOM STCW with unit standards 6912 and 6913 as described in rule 32.210 of Part 32 Chief Mate – NZOW with unit standard 6912 Watchkeeper – NZOW Engineer – MEC 4 Rating – ADH	Engineer may also be Master, Chief Mate or Rating  Total minimum crew 4
Non-passenger ship of 15 metres or more in length, and carrying 6 or less passengers	Master NZOW with command endorsement and unit standards 6912 and 6913 Mate – NZOW with unit standard 6912 Engineer – MEC 4	Engineer may also be Master or Mate  Total minimum crew 2

**31.44 Coastal and offshore limits**

For the purpose of rule 31.42(c) a ship operating beyond restricted limits but within coastal limits or offshore limits must carry at least—

- (a) the navigational watchkeepers specified in Table 5; and
- (b) the engine room watchkeepers specified in Table 6.

**Table 5 Coastal and offshore limits – Navigational watchkeeping**

Class of ship	Navigational watchkeeping certificates required	Conditions and exceptions
Passenger ships and tankers of 3000 GT or more	Master – Master Chief Mate – Chief mate Watchkeepers – 2 x Watchkeeper deck Ratings – 3 x DWR	Watchkeeper deck need not be carried on ships operating under the HSC Code on passages under 2.5 hours.  In addition to DWR, an appropriate number of experienced persons holding certificates as AB Deck or IR are required on board.
Passenger ships and tankers of 500GT or more and less than 3000GT	Master – Master <3000GT <sup>4</sup> Chief Mate – Chief Mate<3000GT <sup>5</sup> Watchkeeper – Watchkeeper Deck Ratings – 3 x DWR	
Non-passenger ships of 500GT or more		
Passenger ships and tankers of of 24 m or more in length but less than 500GT	Master – Master <500GT NC Chief Mate – Watchkeeper deck<500GT NC Watchkeeper – Watchkeeper Deck <500GT NC Ratings – 2 x DWR	Watchkeeper need not be carried on passages under 2.5 hours
Non-passenger ships of 24 m or more in length but less than 500 GT	Master – Master <500GT NC <sup>6</sup> Mate – Watchkeeper deck <500GT NC <sup>2</sup> Ratings – 2 x DWR	
Passenger ships and tankers of 24 m or more in length but less than 500 GT operating exclusively within coastal limits	Master – Master <500 GT NC Chief Mate – Watchkeeper deck<500GT NC Watchkeeper – Watchkeeper deck <500GT NC	

<sup>4</sup> Master Yacht <3000GT if Superyacht

<sup>5</sup> Chief Mate Yacht if Superyacht

<sup>6</sup> Master Yacht <500GT if Superyacht

Non-passenger ships of 24 m or more in length but less than 500 GT operating exclusively within coastal limits	Master – Master <500GT NC Chief Mate – Watchkeeper deck <500GT NC <sup>2</sup>	
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**Table 6 Coastal and offshore limits – Engineering watchkeeping**

Class of ship	Engineering watchkeeping certificates required	Conditions and exceptions
Passenger ships of 3,000 kW or more	Chief Engineer – MEC 1 2nd Engineer – MEC 2 3rd Engineer – MEC 3 4th Engineer – MEC 3 Rating – EWR	<p>MEC 3s need not be carried on ships operating under the HSC Code on passages under 2.5 hours.</p> <p>Engineer personnel on vessels that have power systems over 1000 volts must have appropriate certification.</p>
Tankers of 3,000 kW or more	Chief Engineer – MEC 1 2nd Engineer – MEC 2 3rd Engineer – MEC 3 Rating – EWR	
Passenger ships of 750 kW or more and less than 3000 kW, and of 500 or more GT	Chief Engineer - MEC 2 ECE 2nd Engineer – MEC 2 <3000 kW 3rd Engineer – MEC 2 Rating – EWR	
Passenger ships of 750 kW or more and less than 3000 kW, and of 24 m or more in length but less than 500GT	Chief Engineer – MEC 1 or MEC 2 ECE 2nd Engineer – MEC 2	
Non-passenger ships of 750 kW or more and less than 3000 kW, and which are 500 GT or more		
Passenger ship of less than 750 kW	Chief Engineer – MEC 2 <3000 kW 2nd Engineer – MEC 2	
Tanker of 750 kW or more and less than 3000 kW, and which are 500 GT or more	Chief Engineer – MEC 2 ECE 2nd Engineer – MEC 2 Rating – EWR	
Non-passenger ship of 3000 kW or more		
Non-passenger ship of 750 kW or more and of 24m – 500GT	Engineer – MEC 2 ECE	

Non-passenger ship of less than 750 kW	Engineer – MEC 4 or MEC 5 if the Director endorses that the holder has been in charge of a motor ship for 2 years	
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### *Ships with special requirements*

#### **31.45 Oil tankers**

For the purpose of rule 31.42(d), where a ship is an oil tanker—

- (a) all crew assigned specific duties and responsibilities related to cargo or cargo equipment must have a basic tanker endorsement for oil and chemical tankers in accordance with rule 32.130 or demonstrate an equivalent ancillary certificate of proficiency in accordance with rules 32.16 and 32.170 of Part 32; and
- (b) the master, the chief mate, the chief engineer, the second engineer officers and any person with immediate supervisory responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations must have an advanced tanker training endorsement for oil tankers in accordance with rule 32.132 or demonstrate an equivalent ancillary certificate of proficiency in accordance with rules 32.16 and 32.170 of Part 32.

#### **31.46 Chemical tankers**

For the purpose of rule 31.42(d), where a ship is a chemical tanker—

- (a) all crew assigned specific duties and responsibilities related to cargo or cargo equipment must have a basic tanker endorsement for oil and chemical tankers in accordance with rule 32.130 or demonstrate an equivalent ancillary certificate of proficiency in accordance with rules 32.16 and 32.170 of Part 32; and
- (b) the master, the chief mate, the chief engineer, the second engineer officers and any person with immediate supervisory responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations must have an advanced tanker training endorsement for chemical tankers in accordance with rule 32.132 or demonstrate an equivalent ancillary certificate of proficiency in accordance with rules 32.16 and 32.170 of Part 32.

#### **31.47 Liquefied gas tankers**

For the purpose of rule 31.42(d), where a ship is a liquefied gas tanker—

- (a) all crew assigned specific duties and responsibilities related to cargo or cargo equipment must have a basic tanker endorsement for liquefied gas tankers in accordance with rule 32.130 or demonstrate an equivalent ancillary certificate of proficiency in accordance with rules 32.16 and 32.170 of Part 32; and
- (b) the master, the chief mate, the chief engineer, the second engineer officers and any person with immediate supervisory responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations must have an advanced tanker endorsement for liquefied gas tankers in accordance with rule 32.132 or demonstrate an equivalent ancillary certificate of proficiency in accordance with rules 32.16 and 32.170 of Part 32.

#### **31.47A Ships operating in polar waters**

- (1) This rule 31.47A applies in relation to the following ships:
  - (a) a SOLAS ship in respect of which is required to be held a Polar Ship Certificate under rule 46.13(15)(i) of Part 46:

- (b) a ship in respect of which is required to be held a Polar Ship Document of Compliance under rule 46.14(10) of Part 46.
- (2) Except as provided in subrule (3), for the purpose of rule 31.42(d), when operating in polar waters—
  - (a) to the extent required by Table 6A, the master, chief mate, and officers in charge of a navigational watch on the ship must hold a certificate of competency endorsed with a basic polar waters endorsement under rule 32.135 of Part 32; and
  - (b) to the extent required by Table 6A, the master and chief mate on the ship must hold a certificate of competency endorsed with an advanced polar waters endorsement under rule 32.137 of Part 32.
- (3) When operating in polar waters, the owner and master of the ship may allow the use of a person other than the master, chief mate, or officers of a navigational watch to satisfy the requirements in subrule (2), provided—
  - (a) the person is qualified and certified in accordance with regulation II/2 of STCW and section A-II/2 of the STCW Code, and, regardless of whether the voyage is in open water or other waters, holds a certificate of competency endorsed with an advanced polar waters endorsement under rule 32.137 of Part 32; and
  - (b) the ship has a sufficient number of persons holding the appropriate polar waters endorsements to meet the requirements for all watches; and
  - (c) the person complies with the minimum hours of rest requirements at all times; and
  - (d) when operating in polar waters other than open water or bergy waters, the master, chief mate, and officers in charge of a navigational watch on passenger ships and tankers hold a certificate of competency endorsed with a basic polar waters endorsement under rule 32.135 of Part 32; and
  - (e) when operating in polar waters with ice concentration of more than 2/10, the master, chief mate, and officers in charge of a navigational watch on cargo ships other than tankers hold a certificate of competency endorsed with a basic polar waters endorsement under rule 32.135 of Part 32.
- (4) The use of a person other than the master, chief mate, or officers of the navigational watch under subrule (3) to satisfy the requirements for subrule (2) does not relieve the master, chief mate, or officers of the navigational watch from their duties and obligations for the safety of the ship.

**Table 6A Certification of Masters and Deck Officers in Polar Waters**

Ice conditions	Tankers	Passenger ships	Other
Ice free waters	Not applicable	Not applicable	Not applicable
Open water	Basic polar waters endorsement for master, chief mate, and officers in charge of a navigational watch	Basic polar waters endorsement for master, chief mate, and officers in charge of a navigational watch	Not applicable
Other waters	Advanced polar waters endorsement for master and chief mate	Advanced polar waters endorsement for master and chief mate	Advanced polar waters endorsement for master and chief mate
	Basic polar waters endorsement for officers in charge of a navigational watch	Basic polar waters endorsement for officers in charge of a navigational watch	Basic polar waters endorsement for officers in charge of a navigational watch



**31.47B Ships subject to the IGF Code**

- (1) This rule 31.47B applies to the owner and the master of a ship to which rule 40B.28B(3) applies.
- (2) The owner and master of a ship must ensure that—
  - (a) each seafarer on the ship has received appropriate ship and equipment specific familiarisation in accordance with regulation I/14, paragraph 1.5 of STCW; and
  - (b) each seafarer on the ship responsible for designated safety duties associated with the care or use of the fuel on board, or with emergency response relating to the fuel, holds a basic IGF ship endorsement under rule 32.139 of Part 32 or a corresponding ancillary certificate of proficiency in accordance with 32.134; and
  - (c) the master and each engineer officer and any crew with immediate responsibility for the care and use of fuels and fuel systems on the ship holds an advanced IGF ship endorsement under rule 32.141 of Part 32 or a corresponding ancillary certificate of proficiency in accordance with 32.134.

**31.48 Passenger ships**

For the purpose of rule 31.42(d), where a ship is a passenger ship—

- (a) all officers and any crew designated to assist passengers in emergency situations on board passenger ships must be able to demonstrate an ancillary proficiency in crowd management training in accordance with rules 32.16 and 32.170 of Part 32.
- (b) all crew providing direct service to passengers in passenger spaces on board passenger ships must be able to demonstrate an ancillary proficiency in safety training (passengers in passenger spaces) in accordance with rules 32.16 and 32.170 of Part 32.
- (c) the master, chief mate, chief engineer, second engineer and any crew assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo or closing hull openings on board ro-ro passenger ships must be able to demonstrate an ancillary proficiency in passenger safety, cargo safety and hull integrity training in accordance with rules 32.16 and 32.170 of Part 32.
- (d) All officers and any crew assigned responsibility for the safety of passengers in emergency situations on board passenger ships must be able to demonstrate an ancillary proficiency in crisis management and human behaviour in accordance with rules 32.16 and 32.170 of Part 32.

**31.49 High-speed craft**

For the purpose of rule 31.42(d), where a ship is a high-speed craft all bridge navigation watchkeepers and crew must hold an ancillary certificate of proficiency that is a High Speed Craft Type Rating in accordance with rules 32.16 and 32.170 of Part 32.

**31.50 Square-rigged sailing ships**

For the purpose of rule 31.42(d), where a ship is a square-rigged sailing ship to which this subpart applies, the following persons must have a square-rigged sailing ship endorsement issued under Part 32—

- (a) the Master; and
- (b) in a case where this Part requires one or more navigational watchkeeping officers to be carried in addition to the Master, one other navigational watchkeeping officer.

*Safety Familiarisation and Ancillary Proficiencies***31.51 Requirement for all crew to undergo safety familiarisation**

The owner and master of a ship to which this subpart applies must ensure that all crew undergo safety familiarisation training in accordance with Section A-VI/1 of the STCW Code.

**31.52 Application of rules 32.16 and 32.170 of Part 32 of Maritime Rules**

For the purpose of rules 31.53 to 31.56 a seafarer must be able to demonstrate an ancillary proficiency in accordance with rules 32.16 and 32.170 of Part 32.

**31.53 STCW basic training**

The owner and master of a ship to which this subpart applies must ensure that seafarers who have designated safety, security or marine environmental duties are able to demonstrate an ancillary proficiency in STCW basic training.

**31.54 Survival craft, rescue boats and fast rescue boats**

The owner and master of a ship to which this subpart applies must ensure that—

- (a) seafarers designated to launch or take charge of survival craft or rescue boats other than fast rescue boats are able to demonstrate an ancillary proficiency in such boats; and
- (b) seafarers designated to launch or take charge of fast rescue boats are able to demonstrate an ancillary proficiency in such boats.

**31.55 Advanced fire-fighting**

The owner and master of a ship to which this subpart applies must ensure that seafarers designated to control fire-fighting operations are able to demonstrate an ancillary proficiency in advanced fire-fighting.

**31.56 Medical first aid and medical care**

The owner and master of a ship to which this subpart applies must ensure that—

- (a) seafarers designated to provide medical first aid on board ship are able to demonstrate an ancillary proficiency in medical first aid; and
- (b) seafarers designated to take charge of medical first aid or medical care on board ship are able to demonstrate an ancillary proficiency in being in charge of medical care.

*Foreign ships*

**31.57 Foreign ships**

- (1) This rule applies to any foreign passenger ship or non-passenger ship of 500GT or more that is registered in a state party to STCW or SOLAS and that is operating commercially within New Zealand waters.
- (2) The owner and the master of a foreign ship to which this rule applies must ensure that—
  - (a) the ship carries a safe manning document issued by or on behalf of the flag state in accordance with Chapter V of SOLAS and the *Principles of Safe Manning* adopted by the International Maritime Organization by Assembly Resolution A. 1047(27); and
  - (b) the number of crew and the certificates of the crew serving on board the ship comply with the requirements of the safe manning document; and
  - (c) valid certificates required by the safe manning document to be held by the crew have been issued or validated in accordance with subrule (3); and
  - (d) the crew on the ship are capable of maintaining the watchkeeping standards required by STCW.
- (3) For the purposes of subrule (2)(c), certificates must be issued or validated—
  - (a) prior to 1 January 2017, in accordance with the transitional provisions of STCW as amended on or after 1 January 2012 and implemented by the relevant state party; and
  - (b) on or after 1 January 2017, in accordance with the provisions of STCW as in force on or after 1 January 2012.
- (4) The owner and the master of a foreign ship must ensure that the ship's safe crewing document is readily available on board the ship for inspection at all times.
- (5) Rules 31.29 and 31.30 also apply owners and masters of ships described in subrule (1).

## **Subpart C – Fishing vessels that proceed beyond the inshore fishing limits other than fishing vessels <24m length within coastal and offshore limits**

### **31.60 Application**

Except as provided in rule 31.1(2) and (3), subpart C applies to New Zealand fishing vessels that proceed beyond the inshore fishing limits, other than fishing vessels that are less than 24 metres length that are operated beyond inshore fishing limits but within coastal or offshore limits.

### **31.61 Navigational watchkeeping arrangements and principles**

- (1) The master of a fishing vessel to which this subpart applies must ensure that navigational watchkeeping arrangements are adequate to maintain a safe navigational watch taking into account the basic principles set out in Chapter IV of the Annex to STCW-F.
- (2) In performing duties relevant to a navigational watch on a fishing vessel to which this subpart applies, the owner and master of the ship and any person engaged in navigational watchkeeping duties on the ship must take account of the standards for navigational watchkeeping set out in Chapter IV of the Annex to STCW-F.

### **31.62 Engineering watchkeeping arrangements and principles**

- (1) The master of a fishing vessel to which this subpart applies must ensure that engineering watchkeeping arrangements are adequate to maintain a safe engineering watch taking into account the guidance in the Document for Guidance on Training and Certification of Fishing Personnel.
- (2) In performing duties relevant to an engineering watch on a fishing vessel to which this subpart applies, the owner and master of a ship and any person engaged in engineering watchkeeping duties on the ship must take into account the contents of the Document for Guidance on Training and Certification of Fishing Personnel.

### **31.63 Requirement for crew to have basic safety training**

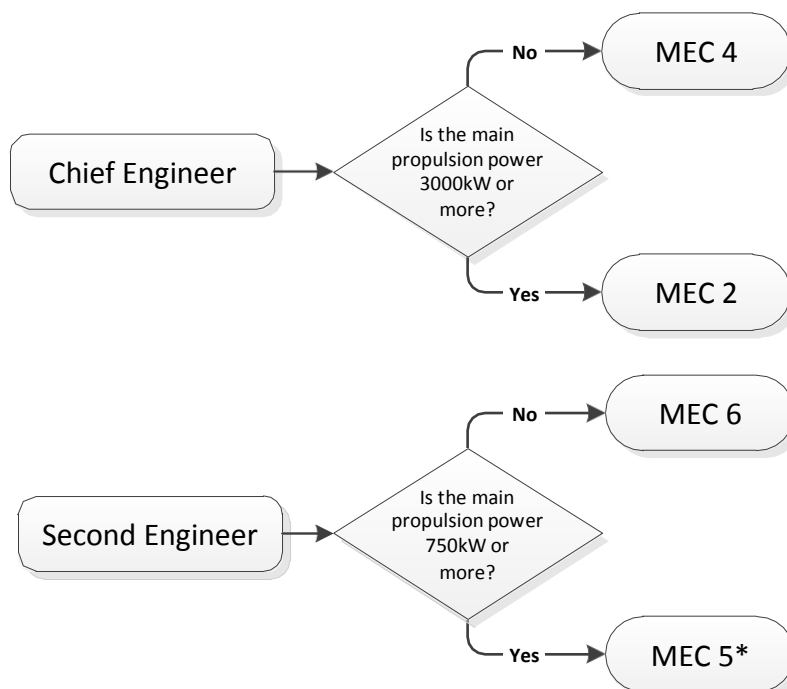
- (1) The owner and master of a fishing vessel to which this subpart applies must ensure that seafarers who have designated safety, security or marine environmental duties are able to demonstrate an ancillary proficiency in STCW-F basic training.
- (2) This rule does not apply in respect of seafarers, other than certificated seafarers, who were employed or engaged on the relevant fishing vessel before the date that is 12 months after the commencement of this Part.

### **31.64 Other minimum crewing requirements for fishing vessels**

- (1) The owner and the master of a fishing vessel to which this subpart applies must not operate unless there are on board both—
  - (a) seafarers holding the minimum required certificates as specified in the applicable table and the accompanying flow-chart (if any); and
  - (b) at least the minimum number of crew specified in the applicable table and accompanying flowchart (if any).
- (2) The applicable tables and flow-charts are:
  - (a) for fishing vessels operating in the unlimited area, Table 7; and
  - (b) for fishing vessels operating within offshore limits, Table 8; and
  - (c) for fishing vessels operating beyond inshore fishing limits but within coastal limits, Table 9.

Table 7 Crewing for fishing vessels – Unlimited area

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
Less than 24m	Master Mate Deckhands Engineers	SFV-U MFV-U ADH-F In accordance with flow chart and may be Master or other seafarer	4
24m or more but less than 45m	Master Mate Deckhands Engineers	SFV-U MFV-U ADH-F x 2 In accordance with flows chart and may be Master or other seafarer	6
45m or more	Master First Mate Watchkeeper Deckhands Engineers	SFV-U MFV-U MFV ADH-F x 3 In accordance with flow chart	10



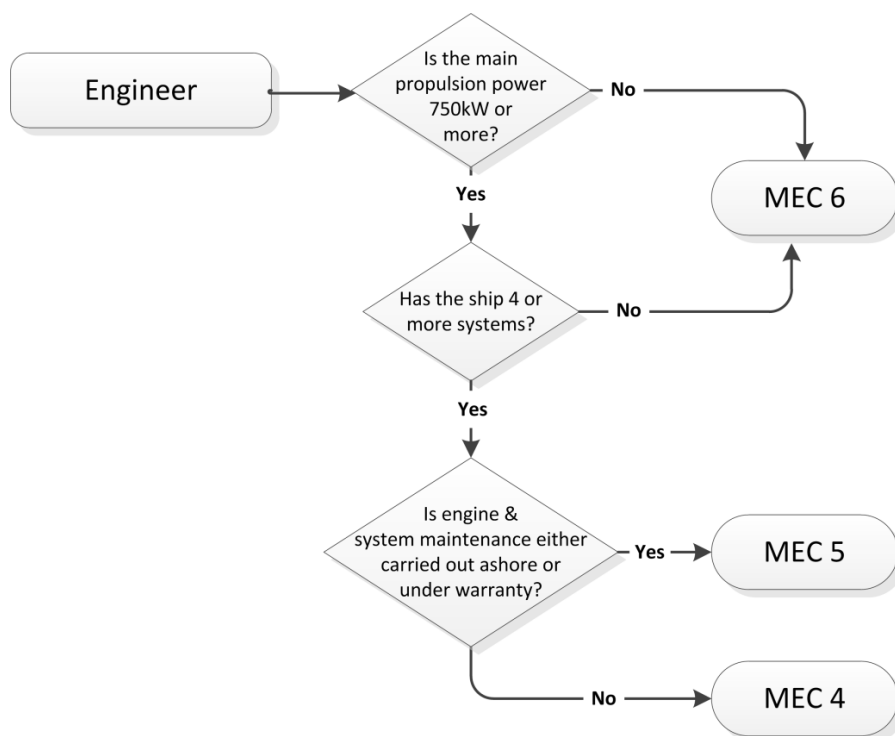
\*MEC 6 if certificate of competency is endorsed to act as second engineer on fishing ships of up to 3000kW in the unlimited area (refer rule 32.211)

Table 8 Crewing for fishing vessels – Offshore limits

Ship Length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
24m or more but less than 35m <100nm offshore	Master Engineer	SFV MEC 6 and may be Master or other seafarer	3
24m or more but less than 35m	Master Mate Deckhand Chief Engineer  Second Engineer	SFV MFV ADH-F MEC 5 and may be Master or other seafarer MEC 6 if ship has 4 or more systems or main propulsion power is 750kW or more. May be Master or other seafarer	4
35m or more but less than 45m	Master Mate Deckhand Chief Engineer  Second Engineer	SFV MFV ADH-F x 2 MEC 4 and may be Master or other seafarer MEC 6 if ship has 4 or more systems or main propulsion power is 750kW or more. May be Master or other seafarer	5
45m or more	Master Mate Deckhand Chief Engineer  Second Engineer	SFV-U MFV-U ADH-F x 3 MEC 4 and may be other seafarer except Master MEC 6 if ship has 4 or more systems or main propulsion power is 750kW or more. May be other seafarer except Master	7

**Table 9 Crewing for fishing ships – Beyond inshore fishing limits but within coastal limits**

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
24m or more but less than 35m	Master Deckhand Engineer	SFV ADH-F In accordance with flow chart and may be Master or other seafarer	3
35m or more but less than 45 m	Master Deckhand Engineer	SFV ADH-F In accordance with flow chart and may be Master or other seafarer	4
45m or more	Master Mate Deckhand Engineer	SFV-U MFV-U ADH-F In accordance with flow chart	5



## Subpart D – Ships other than ships to which subparts B and C apply

### 31.80 Application

- (1) Except as provided in rule 31.1(2) and (3), this subpart applies to—
  - (a) New Zealand ships that are commercial ships that are—
    - (i) passenger or non-passenger ships that do not proceed beyond restricted limits; or
    - (ii) passenger and non-passenger ships of less than 24 metres in length and of less than 500GT, that operate beyond restricted limits but within coastal or offshore limits; and
  - (c) New Zealand fishing vessels operating within the enclosed limits or inshore fishing limits; and
  - (d) New Zealand fishing vessel less than 24 metres in length beyond restricted limits but within coastal or offshore limits.
- (2) However, in no case does this subpart apply to a ship to which subpart B or C applies.
- (3) Subpart D also applies to ships to which rule 31.87 (which relates to foreign fishing ships) applies, to the extent specified in that rule.

### *Ships to which this subpart applies other than fishing vessels*

### 31.81 Watchkeeping arrangements and principles for passenger and non-passenger ships

- (1) The master of a passenger or non-passenger ship to which this subpart applies, must ensure that any watchkeeping arrangements are adequate to maintain a safe watch taking into account subparagraphs 1 to 5 of paragraph 2 of Regulation VIII/2 of STCW, as applied with any necessary modifications taking into account the type of ship and operation.
- (2) In performing duties relevant to a watch on a passenger or non-passenger ship to which this subpart applies, the owner and master of the ship and any person engaged in watchkeeping duties on the ship, must take account of the standards for watchkeeping set out in Section A-VIII/2 of the STCW Code, and the guidance given in Section B-VIII/2 of the STCW Code, as applied with any necessary modifications taking into account the type of ship and operation.

### 31.82 Requirement to operate under Minimum Safe Crewing Document for some ships

- (1) The owner and master of a passenger or non-passenger ship to which this subpart applies that is in any of the classes described in subrule (2) must not operate that ship unless there are on board at least the minimum number of crew including seafarers certificate or prescribed endorsements or able to demonstrate ancillary proficiencies as required by a Minimum Safe Crewing document issued under Subpart A.
- (2) The classes of ships are:
  - (a) a passenger ship of less than 24m length beyond restricted limits but within coastal or offshore limits;
  - (b) a passenger ship authorised to carry 50 or more passengers within inshore limits;
  - (c) a passenger ship carrying 100 or more passengers within enclosed water limits;
  - (d) a ship between 500 and 3000GT operating exclusively in restricted limits;
  - (e) a high-speed craft to which section 2 of Part 40A applies;
  - (f) a ship-handling harbour tug;
  - (g) a pilot ship.

### 31.83 Square rigged sailing ships

In addition to any requirements under rule 31.84, where a passenger or non-passenger ship is a square-rigged sailing ship to which this subpart applies, the following persons must hold a square-rigged sailing ship endorsement issued under Part 32:

- (a) the Master; and
- (b) in a case where this Part requires one or more navigational watchkeeping officers to be carried in addition to the Master, one other navigational watchkeeping officer.

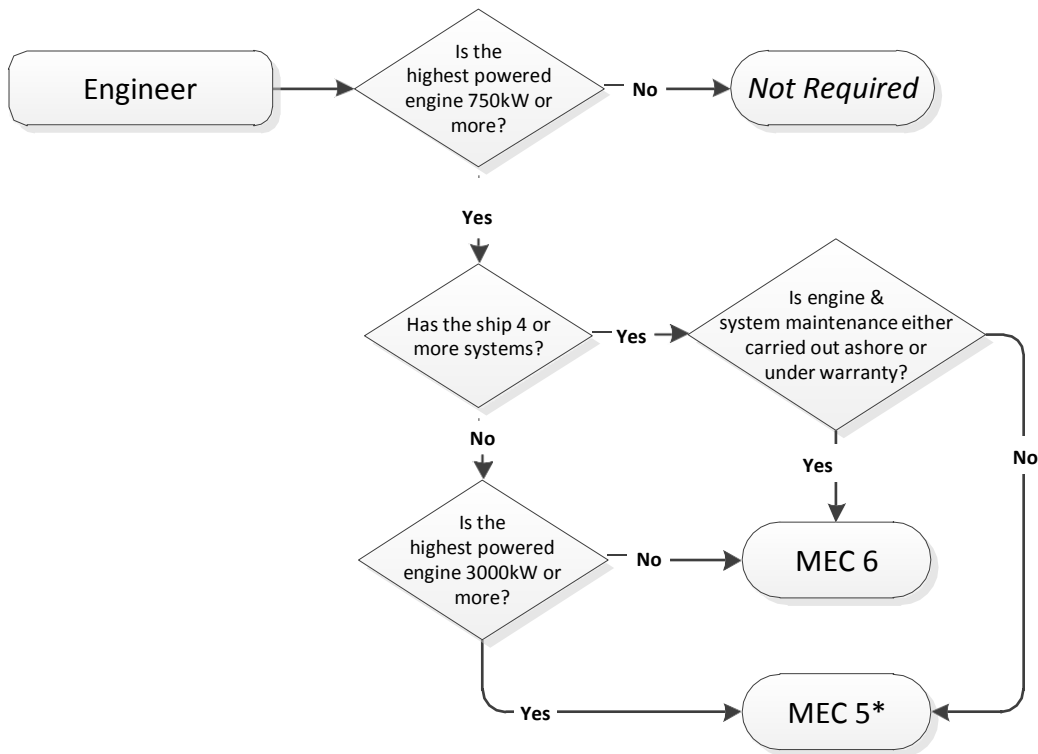
**31.84 Minimum crewing requirements for other ships**

- (1) This rule applies to a passenger or non-passenger ship other than a ship listed in rule 31.82(2).
- (2) The owner and the master of a ship must not operate the ship unless —
  - (a) there are on board at least the minimum number of crew including seafarers holding certificates or prescribed endorsements or able to demonstrate ancillary proficiencies as required by a Minimum Safe Crewing Document issued under subpart A; or
  - (b) there are on board both:
    - (i) seafarers holding the minimum required certificates and prescribed endorsements as specified in the applicable table and the accompanying flow-chart (if any); and
    - (ii) at least the minimum number of crew specified in the applicable table and accompanying flowchart (if any).
- (3) In addition to the requirements in subrule (2), the owner and master of a ship that carries more than 19 passengers must not operate the ship unless the master has a passenger endorsement issued under Part 32.
- (4) The applicable tables and flow-charts are:
  - (a) for passenger ships operating within inshore limits, Table 10; and
  - (b) for passenger ships operating within enclosed water limits, Table 11; and
  - (c) for non-passenger ships less than 24 metres length operating within offshore limits, Table 12.
  - (d) for non-passenger ships less than 24 metres length operating beyond restricted limits but within coastal limits, Table 13; and
  - (e) for non-passenger ships operating within inshore limits, Table 14; and
  - (f) for non-passenger ships operating within enclosed water limits, Table 15.



**Table 10 Crewing for Passenger ships – Inshore Limits**

Ship length	Passengers on board	Minimum Required Qualifications		Minimum Crew
		Position	Certificate	
24 m or more but less than 500 GT	20 to 49	Master <sup>7</sup> Engineer <sup>8</sup>	SRL < 500 GT with passenger endorsement In accordance with the flow chart and may be the master	<b>2</b>
Less than 24 m <sup>9</sup>	1 to 19	Master Engineer <sup>8</sup>	SRL In accordance with the flow chart and may be the master	<b>1</b>



\* If steam propulsion, engineer must hold MEC 5 Steam, MEC 5 Motor and Steam, or MEC 5 with Steam Endorsement

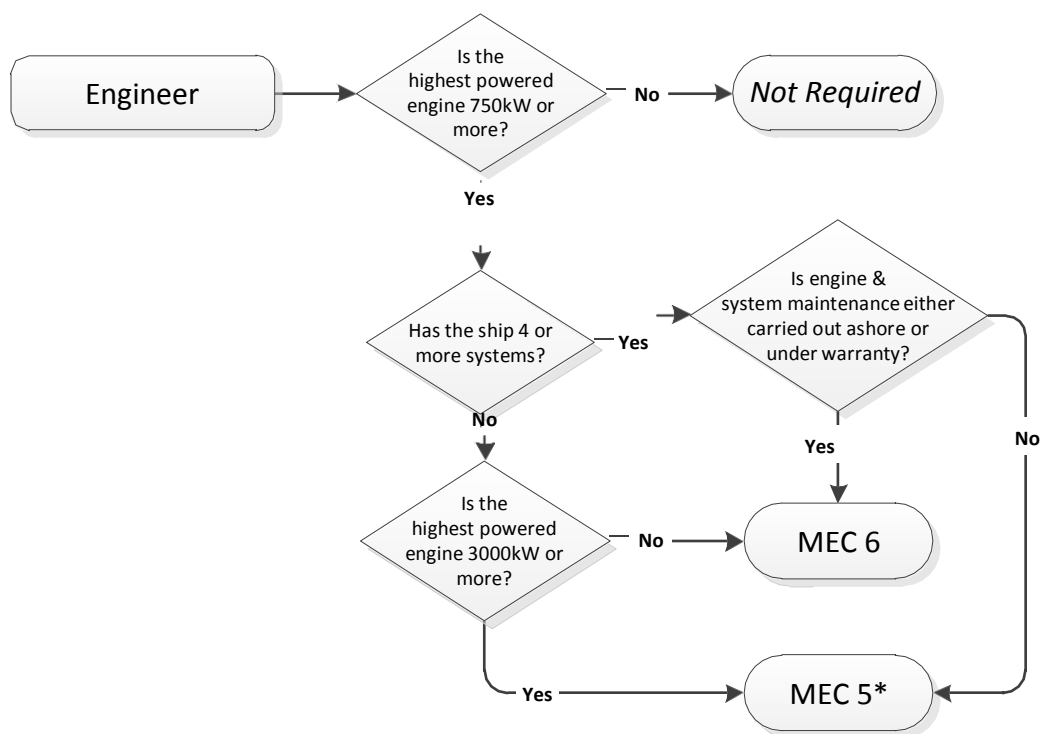
7 Must hold Cook Strait endorsement if inshore limit allows passage between North and South Islands

8 Engineers not required for sailing vessels

9 SRL <24m required if vessel is 12m or more in length

Table 11 Crewing for Passenger ships – Enclosed Water Limits

Ship Length	Passengers on board	Minimum Required Certificate		Minimum crew
		Position	Certificate	
24 m or more but less than 500 GT	50 to 99	Master	SRL < 500 GT with passenger endorsement	2
	<50	Engineer	In accordance with the flow chart and may be the master	
Less than 24 m	20 to 99	Master Engineer	SRL <sup>10</sup> with passenger endorsement In accordance with the flow chart and may be the master	1
	1 to 19	Master Engineer	SRL <sup>10</sup> In accordance with the flow chart and may be the master	



\* If steam propulsion, engineer must hold MEC 5 Steam, MEC 5 Motor and Steam, or MEC 5 with Steam Endorsement

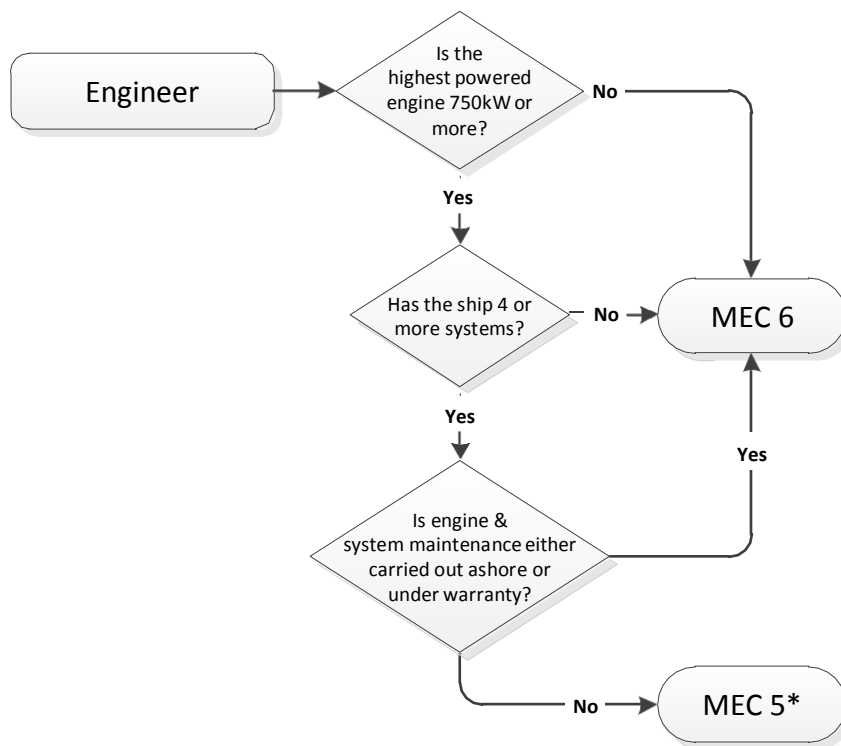
<sup>10</sup> SRL <24m required if vessel is 12m or more in length

**Table 12 Crewing for non-passenger ships – Offshore limits**

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
Less than 24m	Master Mate Engineer <sup>11</sup> Second Engineer	SCO <sup>12</sup> SCO MEC 5 <sup>13</sup> (may be master) MEC 6 if ship has 4 or more systems otherwise not required	3

**Table 13 Crewing for non-passenger ships – Coastal limits**

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
Less than 24m	Master Mate Engineer <sup>11</sup>	SCO <sup>14</sup> SRL <24m In accordance with flow chart, may be mate	2



\* If steam propulsion, engineer must hold MEC 5 Steam, MEC 5 Motor and Steam, or MEC 5 with Steam Endorsement

11 Not required for sailing vessel

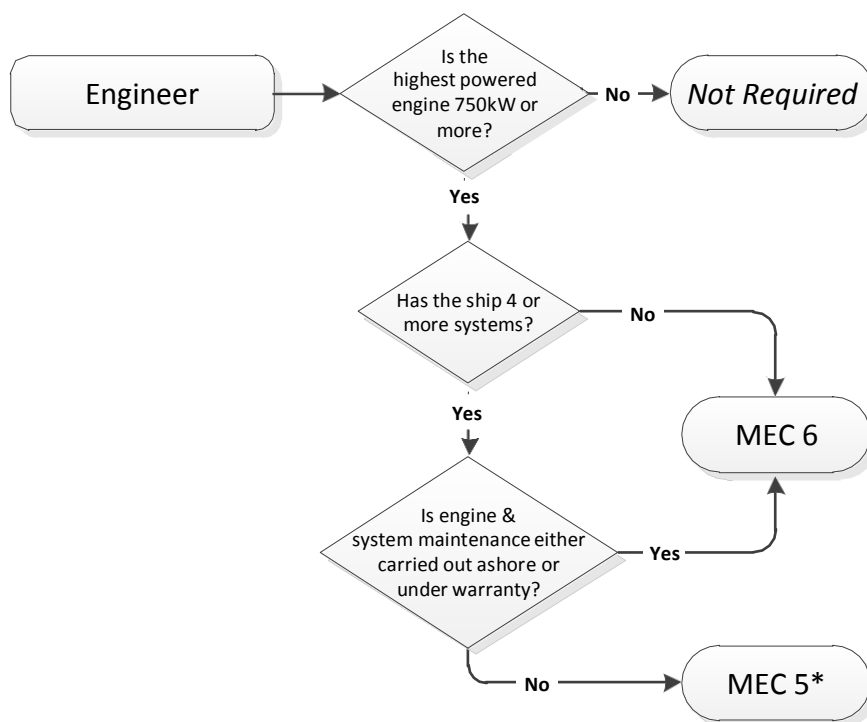
12 Master Yacht NC <24 m if sailing vessel

13 If steam propulsion, engineer must hold MEC 5 Steam, MEC 5 Motor and Steam, or MEC 5 with Steam Endorsement

14 Master Yacht NC <24m if sailing vessel

**Table 14 Crewing for non-passenger ships – Inshore Limits**

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
24m or more but less than 500 GT	Master <sup>15</sup> Mate Engineer	SRL <500GT SRL <24m In accordance with flow chart and may be master	2
Less than 24m	Master <sup>15</sup> Engineer	SRL <24m In accordance with flow chart and may be master	1
Less than 12m	Master Engineer	SRL In accordance with flow chart and may be master	1
Less than 6m or operating within a marine farm	Master	SRL or industry specific training certificate issued under Part 35	1

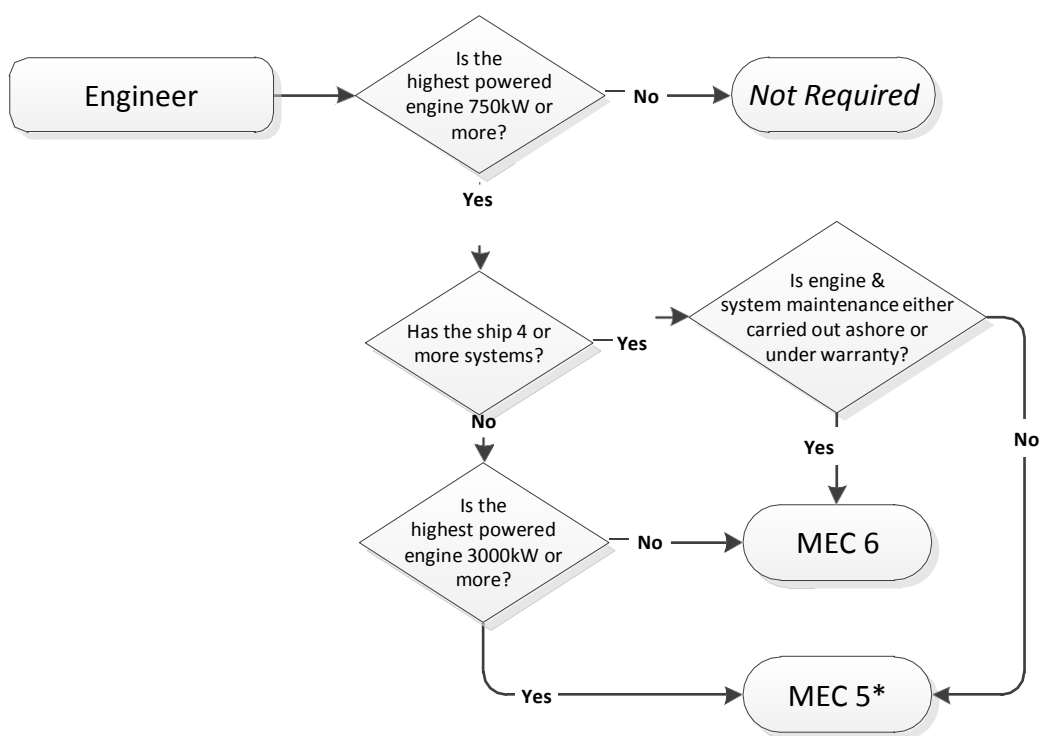


\* If steam propulsion, engineer must hold MEC 5 Steam, MEC 5 Motor and Steam, or MEC 5 with Steam Endorsement

<sup>15</sup> Must hold Cook Strait endorsement if inshore limit allows passage between North and South Islands

**Table 15 Crewing for non-passenger ships – Enclosed Limits**

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
24m or more but less than 500GT	Master Mate Engineer	SRL <500GT SRL <24m In accordance with flow chart and may be the master	2
Less than 24m	Master Engineer	SRL <24m In accordance with flow chart and may be the master	1
Less than 12m	Master Engineer	SRL In accordance with flow chart and may be the master	1
Less than 6m or operating within a marine farm	Master	SRL or industry-specific training certificate issued under Part 35	1



\* If steam propulsion, engineer must hold MEC 5 Steam, MEC 5 Motor and Steam, or MEC 5 with Steam Endorsement

*Fishing vessels within the inshore fishing limits or fishing vessels <24m in length beyond inshore fishing limits but within coastal or offshore limits*

**31.85 Watchkeeping arrangements and principles for fishing vessels within inshore limits**

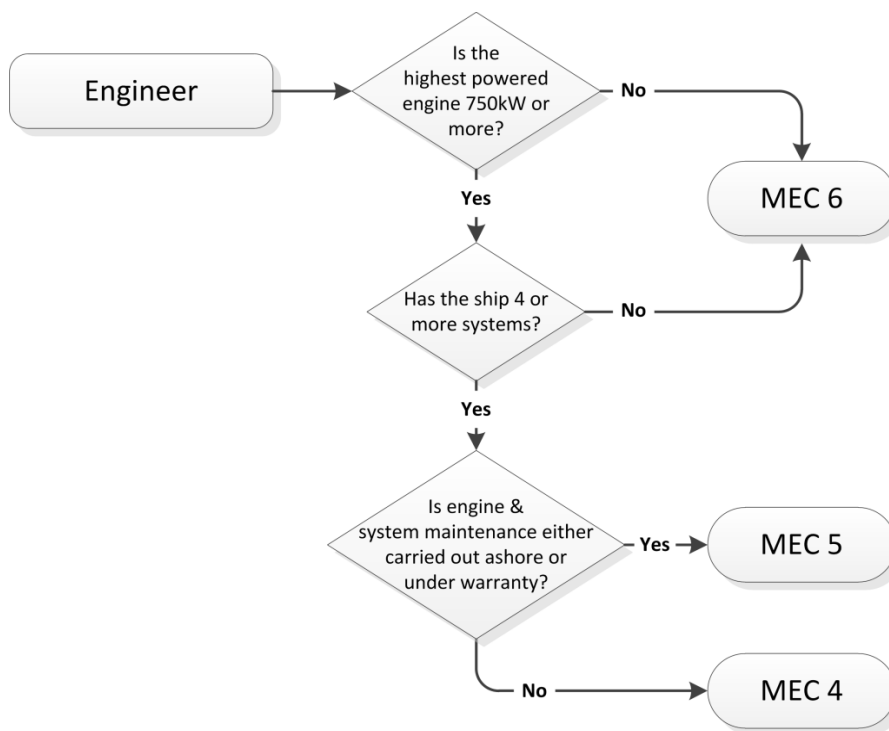
- (1) The master of a fishing vessel to which this subpart applies must ensure that any navigational watchkeeping arrangements are adequate to maintain a safe watch taking into account the basic principles set out in Chapter IV of the Annex to STCW-F.
- (2) In performing duties relevant to a navigational watch on a fishing vessel to which this subpart applies, the owner and master of the ship and any person engaged in watchkeeping duties on the ship must take account of the standards for watchkeeping set out in Chapter IV of the Annex to STCW-F.
- (3) The master of a fishing vessel to which this subpart applies must ensure that any engineering watchkeeping arrangements are adequate to maintain a safe engineering watch taking into account the standards in the Document for Guidance on Training and Certification of Fishing Personnel.
- (4) In performing duties relevant to an engineering watch on a fishing vessel to which this subpart applies, the owner and master of a ship and any person engaged in engineering watchkeeping duties on the ship must take account of the Document for Guidance on Training and Certification of Fishing Personnel.
- (5) Any person who under subrules (1) to (4) is required to take into account principles or standards in STCW-F or the Document for Guidance on Training and Certification of Fishing Personnel may take those principles or standards into account with any necessary modifications that are required because of the type of fishing vessel and operation.

**31.86 Minimum crewing requirements for fishing vessels**

- (1) The owner and the master of a fishing vessel to which this subpart applies must not operate that vessel unless there are on board both:
  - (a) seafarers holding the minimum required certificates as specified in the applicable table and the accompanying flow-chart (if any); and
  - (b) at least the minimum number of crew specified in the applicable table and accompanying flowchart (if any).
- (2) The applicable tables and flow-charts are:
  - (a) for fishing vessels operating within offshore limits, Table 16; and
  - (b) for fishing vessels operating beyond inshore fishing limits but within coastal limits, Table 17; and
  - (c) for fishing vessels operating within inshore limits and inshore fishing limits, Table 18; and
  - (d) for fishing vessels operating within enclosed water limits, Table 19.

Table 16 Crewing for fishing vessels – Offshore limits

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
Less than 24m and less than 100nm offshore	Master Engineer	SCO <sup>16</sup> In accordance with flow chart and may be master or other seafarer	2
Less than 24m	Master Mate Engineer	SCO SCO In accordance with flow chart	3



<sup>16</sup> Or SRL <24m with specified activity endorsement

Table 17 Crewing for fishing vessels – Beyond inshore fishing limit but within coastal limits

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
Less than 24m	Master Engineer	SCO In accordance with flow chart and may be Master or other seafarer	2

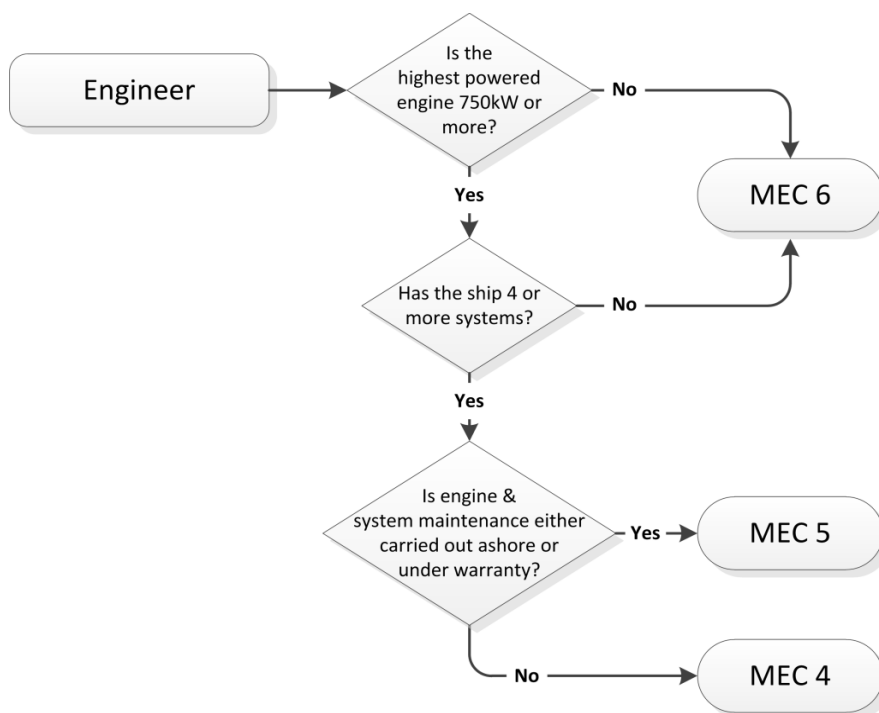
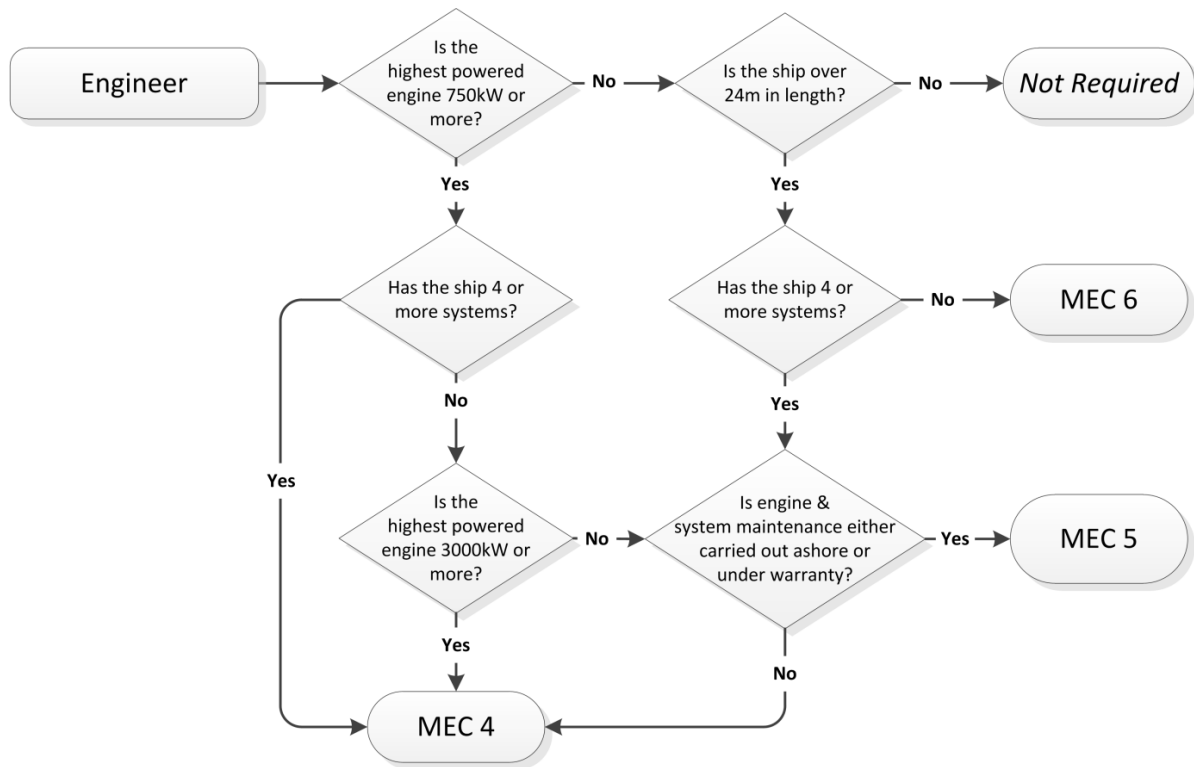




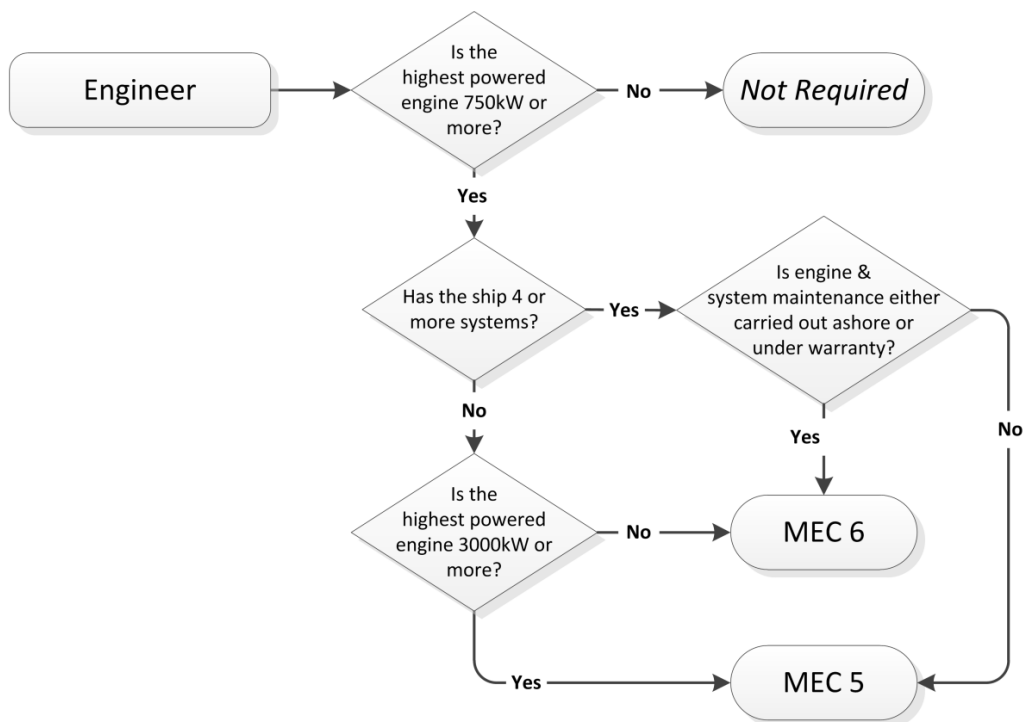
Table 18 Crewing for fishing vessels – Inshore limits and Inshore fishing limits

Ship Length	Minimum Required Certificates		Minimum Crew
	Position	Certificate	
Less than 24m	Master Engineer	SRL (<24m if >12m) In accordance with flow chart and may be Master	1
24m or more but less than 35m	Master Engineer	SRL <500GT In accordance with flow chart and may be Master	2
35m or more but less than 500 GT	Master Engineer	SRL <500GT In accordance with flow chart and may be Master or other seafarer	3



**Table 19 Crewing for fishing vessels – Enclosed limits**

Ship length	Minimum Required Certificates		Minimum crew
	Position	Certificate	
Less than 12m	Master Engineer	SRL In accordance with flow chart and may be master	1
Less than 24m	Master Engineer	SRL <24m In accordance with flow chart and may be master	1
24m or more in length but less than 500GT	Master Mate Engineer	SRL <500GT SRL <24m In accordance with flow chart and may be master	2



**31.87 Foreign fishing ships**

- (1) This rule 31.87 applies to any foreign fishing ship within New Zealand waters and any owner or master of the ship.
- (2) The owner and the master of a foreign fishing ship that is registered in a State that is a party to STCW-F must ensure—
  - (a) compliance with the requirements of STCW-F; and
  - (b) that all applicable persons on board that ship comply with the requirements to be certificated in accordance with STCW-F; and
  - (c) that there is carried on board the ship, accompanied by an English-language translation where it is not in English, in respect of that ship, a copy of the current certificates issued in respect of its crew in accordance with STCW-F.
- (3) The owner and the master of a foreign fishing ship to which subrule (2) applies must ensure that a copy of each document required under subrule (2) is produced when requested by the Director.
- (4) The owner and the master of a foreign fishing ship to which subrule (2) does not apply, or which is otherwise unable to provide the Director with a copy of the documents referred to in subrule (2), must demonstrate to the satisfaction of the Director compliance with the provisions of the Annex to STCW-F.

## Subpart E – Transitional, ring-fencing, and revocation provisions

### 31.100 Crewing requirements that may be fulfilled by certificates issued under former Part 32 or legacy certificates, specified certificates, or ring-fenced certificates until relevant end date

- (1) In this rule 31.100, **end date** means as follows:
  - (a) in relation to any crewing requirements imposed under subpart B of this Part (which relate to STCW certificates)—
    - (i) for a specified certificate transitioning to an STCW certificate under rule 32.206C, if the certificate is not also ring-fenced, the date that the certificate ceases to be valid under rule 32.206(3) or 32.206(5) as applicable; or
    - (ii) for a specified certificate that is ring-fenced and that was both a specified certificate Type-A and Type-C, the date that the certificate ceases to be valid under rule 32.206; or
    - (iii) 31 December 2016 in every other case:
  - (b) in relation to any other crewing requirements imposed under this Part that relate to a specified certificate that is transitioning under subpart F of Part 32 or a certificate that is transitioning under rule 32.206D, if the certificate is not also ring-fenced, the date that the certificate ceases to be valid under rule 32.206(3), 32.206(4), or 32.206(5) as applicable:
  - (c) in relation to any crewing requirements imposed under this Part that relate to a specified certificate that is ring-fenced under subpart F of Part 32 or a certificate that is ring-fenced under rule 32.206D, the date that the certificate ceases to be valid under rule 32.206:
  - (d) in relation to any other crewing requirements imposed under this Part, the date that is 5 years after the commencement of this Part.
- (1A) In this rule 31.100, **STCW-95** means STCW as it applied immediately prior to 1 January 2012.
- (2) Where this Part imposes a crewing requirement to carry on board a person holding a certificate described in column 1 of Table 20, the Director may until the end date, accept in fulfilment of the requirements of this Part, the substitution of a person holding—
  - (a) a certificate described in the corresponding row of column 2 or column 3 of the table; or
  - (b) a ring-fenced certificate if the privileges confirmed by the Director for that certificate under rule 32.206A(3) are equal to or greater than for the certificate described in the corresponding row of column 2 or column 3 of the table
- (3) Despite subrule (2), where subpart B of this Part imposes a crewing requirement, the Director must not accept the substitution of a person holding a certificate if that certificate has not been issued or renewed in accordance with the requirements of STCW-95.
- (4) For the purposes of subrules (2) and (3) a requirement imposed by this Part includes a requirement under a minimum safe crewing document.
- (5) This rule must be applied subject to any conditions or limitations in the certificate held.
- (6) No person is in breach of rule 32.10 of Part 32 by reason only that the person acts in accordance with this rule.
- (7) This rule is subject to the exception in rule 31.101.

**Table 20: Crewing requirements that may be fulfilled by former Part 32 and legacy certificates, specified certificates, or ring-fenced certificates until relevant end date**

Certificates that may be required to be carried aboard under Part 31	Certificate under former rules	Legacy Certificates
Able Seafarer Deck	None	AB, AB Certificate (ILO)
Able Seafarer Engine	None	None
ADH-F	ADH-F	QFDH
Chief mate	Chief mate of a foreign going ship	Mate foreign-going, Class 2 deck officer
DWR	Deck watch rating	Deck watch rating
EWR	Engine room watch rating	Engine room watch rating
Master <3000GT	Master of a foreign-going ship <3000GT	None
Master <500GT NC limited to 50 nm from the coast	NZOM	None
Master <500GT NC limited to 100 nm from the coast	None	New Zealand Coastal master Master small home trade ship
Master <500GT NC	NZOM with STCW-95 endorsement	NZOM with STCW-95 endorsement
Master	Master of a foreign going ship	Master foreign going Class 1 Deck Officer
MEC 1	MEC 1	Chief Engineer First class engineer
MEC 2 ECE	MEC 2 ECE	
MEC 2	MEC 2	Second engineer Second class engineer
MEC 3	MEC 3	
MEC 4	MEC 4	First class coastal motor, first class diesel trawler engineer
MEC 5	MEC 5	Second class coastal motor, river engineer, engineer local ship, engineer local motor ship, third class steam, Marine Engineer Class 3, Marine Engine Driver, Marine Engine Watchkeeper
MEC 6	MEC 6	Second Class diesel trawler engineer, Engineer restricted limits motor ship, PVOS
MEC 5 steam	MEC 5 steam	MEC 5 steam
MFV	NZOW	Master River Ship
MFV-U	Mate of a deep sea fishing vessel	Mate of a deep sea fishing boat Mate Home Trade
Watchkeeper Deck <500GT NC	NZOW	Master River Ship

Certificates that may be required to be carried aboard under Part 31	Certificate under former rules	Legacy Certificates
Watchkeeper deck	Officer in charge of a navigational watch of a foreign going ship	Second mate foreign going
QDC	ADH / CDH	Advanced Deckhand
SCO	NZOW with ILM endorsement	Master river ship
SCO limited	None	Commercial Launchmaster with extreme limit endorsements
SFV	NZOM	none
SFV limited to 100 nm	None	Skipper of a Coastal Fishing Boat, NZ Coastal Master, Master Small Home Trade ship
SFV-U	Master of a deep sea fishing vessel	Skipper of a Deep Sea Fishing Boat, Master of a Foreign-going fishing boat
SRL Passenger endorsement	NZOW with ILM endorsement for vessels carrying 100 or more passengers in inshore limits	Master River Ship
SRL <24m	ILM / LLO	Local Launchman's Licence, Master of Restricted-limit Launch, Commercial Launchmaster, Inshore Fishing Skipper
SRL <500GT	NZOW with ILM endorsement for vessels carrying 50 or more passengers in inshore limits	Master River Ship
SRL – Skipper restricted limits	LLO	Local Launchman's Licence, Master of restricted limit launch, Commercial Launch Master, Inshore Fishing Skipper
MEC 4 – harbours only	MEC 4 – harbours only	Chief Engineer Tug

**31.101 Transitional arrangements for requirement to hold ancillary proficiency in safety training for passengers in passenger spaces under rule 31.48**

- (1) A person who, immediately before the commencement of this Part, had ro-ro passenger ships training renewed under former Part 31A.6 must be treated as meeting the requirements of rule 31.48(c) until 31 December 2016 but not after that date.
- (2) In this rule, former Part 31A means Part 31 as in force prior to its revocation by this Part.

**31.102 Transitional arrangements for minimum safe crewing documents**

- (1) Where subpart B requires a minimum safe crewing document, a minimum safe crewing document that has been issued in accordance with the Act and with former Part 31A or former Part 31B (as in force prior to their revocation by this Part), and which, but for their revocation, would remain current in accordance with those Parts,—
  - (a) must be treated as if it was issued in accordance with this Part; and
  - (b) expires on the earlier of the following dates—
    - (i) the close of the day that it would have otherwise expired; or
    - (ii) the close of 31 December 2016 or 30 June 2018, as applicable.
- (2) Where subpart D requires a minimum safe crewing document, a minimum safe crewing document that has been issued in accordance with the Act and with former Part 31A or former Part 31B (as in force prior to their revocation by this Part), and

which, but for their revocation, would remain current in accordance with those Parts,—

- (a) must be treated as if it was issued in accordance with this Part; and
- (b) expires on the earlier of the following dates—
  - (i) the close of the day that it would have otherwise expired; or
  - (ii) the date that is 5 years after the commencement of this Part.

**31.103 Revocations**

- (1) Part 31A as in force prior to the commencement of this Part is revoked.
- (2) Part 31B as in force prior to the commencement of this Part is revoked.
- (3) Part 31C as in force prior to the commencement of this Part is revoked.