



MINISTRY of TRANSPORT  
TE MANATŪ WAKA

WELLINGTON NEW ZEALAND

PURSUANT to Section 36 of the Maritime Transport Act 1994

I, **HARRY JAMES DUYNHOVEN**, Minister of Transport,

**HEREBY MAKE** the following maritime rules.

**SIGNED AT** Wellington

This *26<sup>th</sup>* day of *April* 2004

by **HARRY JAMES DUYNHOVEN**

Associate Minister of Transport

**Maritime Rules**

**Part 32 AMENDMENT**

**SHIPS' PERSONNEL – QUALIFICATIONS**

**CLASS 4 SUPERYACHT CERTIFICATES**

**Maritime Transport Act 1994**

# **Maritime Rules**

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**Part Objective, Extent of Consultation and Commencement**

***Objective***

The objective of the Part 32 Class 4 Superyacht Certificates amendment is to establish internationally aligned New Zealand qualifications for masters and mates of large superyachts of up to 3000 gross tons.

The qualifications requirements are aligned closely with the class 4 certificates offered by the UK Maritime and Coastguard Agency, which are the international standard for navigating officers serving on board large pleasure yachts under predominantly Caribbean flags associated with the UK.

These rules will enable New Zealand training providers to offer comparable qualifications at a significantly less cost compared to the UK and USA training schools offering the MCA class 4 qualifications.

The basis for this Part 32 amendment is found in section 36(1)(o) of the Maritime Transport Act 1994.

Maritime rules are subject to the Regulations (Disallowance) Act 1989. 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 this Act.

***Extent of consultation***

On 21 September 2002 the Maritime Safety Authority published in each of the daily newspapers in the four main centres of New Zealand a notice inviting comments on the proposed Part 32 amendment. A notice was also published in the *New Zealand Gazette* on 19 September 2002. The Authority then made its invitation to comment and draft amendment available to the public with electronic and hard copies being sent automatically to interested parties. The draft was also posted on, and available for downloading from, the MSA website. Comments were requested to be made by 1 November 2002.

Three submissions were received on the Part 32 amendment. All submissions and any oral comments were considered, and where appropriate, the proposed rules were amended to take account of the comments made.

***Commencement***

This Part 32 amendment establishing class 4 superyacht certificates of competency will come into force on 27 May 2004.

# Maritime Rules

## PART 32

### SHIPS' PERSONNEL – QUALIFICATIONS CLASS 4 SUPERYACHT CERTIFICATES

#### AMENDMENT 2004

#### **General**

- A.1 Entry into force
- A.2 Contents

#### **Certificates of Competency**

- A.3 Certificates of competency for masters and mates of superyachts

## ***General***

### **A.1 Entry into force**

These amendments come into force on 27 May 2004.

### **A.2 Contents**

The list of contents of Part 32 is amended by inserting in section 1 after the words '32.19 Master of a foreign-going ship (Master Mariner) and Class 1 Deck Officer' the following text:

'32.19A New Zealand Chief Mate (Yacht)

32.19B New Zealand Master (Yacht less than 500 gross tonnage)

32.19C New Zealand Master (Yacht)'

## ***Certificates of Competency***

### **A.3 Certificates of Competency for Masters and Mates of Superyachts**

Part 32 is amended by inserting the following rules.

#### **'32.19A New Zealand Chief Mate (Yacht)**

- (1) A candidate for the issue of a New Zealand Chief Mate (Yacht) certificate must –
  - (a) be at least 19 years of age; and
  - (b) provide evidence of having completed not less than-
    - (i) 36 months sea service in a deck capacity, while over the age of 16, in vessels of twelve metres or more in length including 12 months sea service in a deck capacity in the 10 years preceding the application under this section; and
    - (ii) 6 months service performing navigational watch keeping duties under the supervision of a qualified master or officer; and
  - (c) provide evidence of having—

- (i) completed a Maritime Safety Authority approved Training Record Book; and
  - (ii) completed unit standards 6912 and 6913 with a training provider approved by the Maritime Safety Authority under maritime rules Part 35 to deliver and assess these unit standards; and
  - (iii) satisfactorily attended and completed a training programme which must include Human Factors, including Bridge Resource Management appropriate to the class of vessel approved for this qualification by the Director; and
  - (iv) passed an oral examination and written examinations that test knowledge of a syllabus approved for this qualification by the Director; and
- (d) provide evidence of being the holder of the following certificates, which must be acceptable to the Director –
- (i) a current proficiency in medical first aid certificate; and
  - (ii) a Global Maritime Distress Safety Signal (GMDSS) radio operator certificate; and
  - (iii) a New Zealand Chief Mate (Yacht) Electronic Navigation Aids certificate; and
  - (iv) Basic Training certificates showing completion of the four elements contained in STCW95 Regulation VI/1 (Section A-VI/1, 2 Basic Training); and
  - (v) a proficiency in survival craft and rescue boats (other than fast rescue boats) certificate; and
  - (vi) a competence in advanced fire-fighting certificate; and
  - (vii) a current medical fitness certificate issued under Part 34; and
- (e) provide evidence of –
- (i) having passed the standard eyesight test prescribed in the Appendix within the last 12 months; and
  - (ii) having passed the lantern colour vision test prescribed in the Appendix.

- (2) For the purpose of paragraph (1)(b)(i) and (ii), service may be undertaken in commercial or pleasure vessels.

**32.19B New Zealand Master (Yacht less than 500 gross tonnage)**

- (1) A candidate for the issue of a New Zealand Master (Yacht less than 500 gross tonnage) certificate must -
- (a) provide evidence of having completed not less than 12 months sea service in the last ten years on vessels of not less than 12 metres in length and on voyages outside restricted limits; and
  - (b) provide evidence of having completed a total of 48 months sea service which must include—
    - (i) 12 months sea service as the person in charge of a navigational watch for not less than eight hours out of every 24 hours claimed while holding a New Zealand Chief Mate (Yacht) certificate; and
    - (ii) 6 months service in a deck capacity on yachts; and
  - (c) provide evidence of having –
    - (i) satisfactorily attended and completed a training programme approved by the Director for the New Zealand Chief Mate (Yacht) qualification; and
    - (ii) passed an oral examination and written examinations that test the knowledge of a syllabus approved by the Director for the New Zealand Chief Mate (Yacht) qualification; and
    - (iii) satisfactorily attended and completed a training programme approved by the Director for the New Zealand Master (Yacht less than 500 gross tonnage) qualification; and
    - (iv) passed an oral examination that tests the knowledge of a syllabus approved by the Director for the New Zealand Master (Yacht less than 500 gross tonnage) qualification; and
  - (d) provide evidence of being the holder of -
    - (i) a proficiency as person in charge of medical care on board ship certificate, acceptable to the Director; and
    - (ii) any other certificates required under rule 32.19A (NZ Chief Mate (Yacht)) that have not previously been sighted by the Director; and
    - (iii) a current medical fitness certificate issued under Part 34; and

- (e) provide evidence of -
  - (i) having passed the standard eyesight test prescribed in the Appendix within the last 12 months; and
  - (iv) having passed the lantern colour vision test prescribed in the Appendix.
- (2) The Director may accept other qualifications as equivalent for the purposes of paragraph (1) (c).<sup>1</sup>

### **32.19C New Zealand Master (Yacht)**

- (1) A candidate for the issue of a New Zealand Master (Yacht) certificate must -
  - (a) provide evidence of having completed not less than 12 months sea service in the last ten years in vessels of not less than 12 metres in length on voyages outside restricted limits; and
  - (b) provide evidence of having completed a total of 60 months sea service which must include;
    - (i) 12 months sea service as the person in charge of a navigational watch for not less than eight hours out of every 24 hours claimed on vessels of not less than 12 metres, outside restricted limits, while holding a Maritime Safety Authority watchkeeping or command certificate allowing the holder to serve in a certified capacity; and
    - (ii) 24 months sea service as person in charge of a navigational watch for not less than eight hours out of every 24 hours claimed while holding a New Zealand Chief Mate (Yacht) certificate; and
  - (c) provide evidence of having -
    - (i) satisfactorily attended and completed a training programme approved by the Director for the New Zealand Master (Yacht) certificate; and
    - (ii) passed an oral examination and written examinations that test the knowledge of a syllabus approved for the New Zealand Chief Mate (Yacht) and New Zealand Master (Yacht less than 500 gross tonnage) qualifications by the Director; and
    - (iii) passed an oral examination and written examinations that test the knowledge of a syllabus approved by the Director for the New Zealand Master (Yacht) certificate; and

<sup>1</sup> Examples of acceptable equivalent qualifications may include New Zealand Offshore Watchkeeper or New Zealand Offshore Master provided that the requisite sea service on appropriate vessels is satisfied.

- (d) provide evidence of being the holder of—
    - (i) a New Zealand Master (Yacht) navigation control certificate acceptable to the Director and any other certificates required under rules 32.19A and 32.19B that have not previously been sighted by the Director; and
    - (ii) a current medical fitness certificate issued under Part 34; and
  - (e) provide evidence of -
    - (i) having passed the standard eyesight test prescribed in the Appendix within the last 12 months; and
    - (ii) having passed the lantern colour vision test prescribed in the Appendix.
- (2) The Director may accept other qualifications as equivalent for the purposes of paragraph (1)(c).<sup>2</sup>

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<sup>2</sup> Examples of acceptable equivalent qualifications may include New Zealand Offshore Watchkeeper or New Zealand Offshore Master provided that the requisite sea service on appropriate vessels is satisfied.