

Maritime Rules

Part 34: Medical Standards

MNZ Consolidation

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Part objective

Subpart A of Part 34 requires all seafarers under the age of 18 years to undergo a medical examination prior to their employment on a ship. The requirement applies to seafarers employed on New Zealand ships, other than restricted limit ships, and to seafarers engaged on a foreign ship in New Zealand. Subpart A covers New Zealand's obligations under International Labour Organization's "Maritime Labour Convention" in relation to the medical examination of young persons. Subpart B of Part 34 applies to seafarers who seek a medical certificate for the purposes of holding or applying for the issue or renewal of national, STCW or STCW-F certificates issued under Part 32 and also applies to holders of a ring-fenced certificate. It also applies to other seafarers on New Zealand ships which are SOLAS ships (foreign going passenger ships, non-passenger ships of 500 tons gross tonnage or more, and other New Zealand ships of 45 metres or more in length which proceed beyond restricted limits). All such seafarers are required to pass a medical examination by a medical practitioner, for the issue of a certificate of medical fitness. In the case of medical certificates for national certificates this may be a registered medical practitioner. In other cases it must be a medical practitioner approved by the Director. Certificates of medical fitness are valid for a period of 2 years. Persons who do not hold a current medical certificate are not to be employed on any ship to which subpart 2 applies.

To the extent it relates to seafarers who seek medical certificates for the purposes of holding or applying for the issue or revalidation of STCW certificates, subpart B implements the requirements of the International Maritime Organization's International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW). The medical standards prescribed in subpart B are taken from the recommended ILO/IMO Guidelines on the medical examination of Seafarers. These are flexible guidelines which must also be applied with any necessary modifications for the purpose of national certificates.

Subpart B also implements, through an amendment to this Part in 2016, requirements of the International Labour Organization's "Maritime Labour Convention". This amendment implements a wider applicability (in terms of seafarers and ships) for medical certificates and also provides for the transitioning of expiring medical certificates.

The authority for making Part 34 is found in section 36(1)(o) and (u) 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 34 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.

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History of Part 34

Part 34 first came into force on 1 August 1998 and now incorporates the following amendments:

Amendment	Effective date
Amendment 1	27 May 2004
Amendment 2	4 September 2008
Amendment 3	Multiple
Amendment 4	17 May 2012
Amendment 5	1 April 2014
Amendment 6	1 January 2015
Amendment 7	1 April 2015
Amendment 8	30 September 2016
Amendment 9	9 March 2017
Amendment 10	4 March 2018
Amendment 11	13 December 2019

Summary of amendments

Amendment 1 Maritime Rules Amendments Parts 20-90	Part objective, 34.2, 34.4(1)(b), 34.6(4), 34.7(1), 34.7(4), 34.9, Appendix 2: 2.2(8), Appendix 5: 5.1.1(7)
Amendment 2 Maritime (Various Amendments) 2008 (Parts 20-91)	34.9(4)(b)
Amendment 3 Part 34: Amendment 2011	<u>Effective 1 April 2011</u> 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 34.10, 34.11, 34.12, 34.13, 34.14(b)(i). Appendices: 1, 2, 4, 5, 5A, 5B, 6 <u>Effective 1 January 2012</u> 34.2 subrule (b) of definition for 'eye and vision test', 34.8A. Appendix 5.1.1: Clauses (3), (4), and (7). Appendix 5.1.2. Appendix 5A: Clauses 5A.2(5), 5A.5, 5A.7-5A.10, 5A.12, 5A.13, 5A.15-5A.18 Appendix 5B: Clauses 5B.3(5) and (6).
Amendment 4 Part 31A and Part 32: Amendment 2012	Appendix 5: Clause 5.2
Amendment 5 Part 34: Medical Standards	Replaced entire Part
Amendment 6 Maritime Rules Various Amendments 2015	34.2, 34.23(2)(b), 34.24(2)(a)
Amendment 7 Maritime Rules Various Amendments 2015	34.2

Amendment 8

Maritime Rules parts 31, 32, and 34 SeaCert
Amendments 2016

Part objective, 34.2, 34.21, 23.22

Amendment 9

Part 52: Maritime Labour Convention

Part objective, 34.20(4), 34.28

Amendment 10

STCW-F related Amendments 2017

Part 34 General, 34.2, 34.3, 34.20, 34.23
34.26, Part 34 Appendix 1

Amendment 11

Maritime Rules Various Amendments 2019

Part Objective, 34.61

All signed rules can be found on our website:
<https://www.maritimenz.govt.nz/rules/>

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General

34.2 Definitions

In Part 34—

Act means the Maritime Transport Act 1994:

approved medical practitioner means a registered medical practitioner approved by the Director under rule 34.3:

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

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

colour vision standards means the applicable colour vision standards set out in Appendix 1 of this Part:

colour vision test means a test as to whether a seafarer meet the applicable colour vision standards set out in Appendix 1 of this Part:

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

Director means the person who is for the time being the Director of Maritime New Zealand under section 439 of the Maritime Transport Act 1994:

examinee means a person whose eyesight or colour vision is to be examined for the purposes of this Part or Part 32:

fishing ship means a ship used for catching fish, whales, seals, or other living resources of the sea for profit; and includes a ship that is recognised by the Director as being engaged in fisheries research:

foreign ship means any ship that is not a New Zealand ship:

general eyesight standards—

- (a) means the applicable eyesight and vision standards other than colour vision standards set out in Appendix 1; and
- (b) includes standards for distance vision, near or intermediate vision, visual fields, night blindness and diplopia (double vision):

general eyesight test means a test as to whether a seafarer meets the applicable general eyesight standards set out in Appendix 1:

ILO/IMO Guidelines on the medical examination of seafarers means the document entitled 'Guidelines on the medical examination of seafarers' published on behalf of the International Labour Organization and the International Maritime Organization in 2013:

international voyage means a voyage from a port in one country to a port in another country, either of the countries being a party to STCW:

length 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 be greater. In ships designed with a rake of keel the waterline on which this length is measured is to be parallel to the designed waterline:

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

national certificate means a certificate issued under subpart B of Part 32:

national deck certificate means the following certificates as described in rule 32.03 of Part 32: QDC, SRL, SCO, Master Yacht<24m:

national engineering certificate means the following certificates as described in rule 32.03 of Part 32: MEC 6, MEC 5, MEC 4 including those that are STCW-F-aligned national certificates:

New Zealand ship means a ship that is registered under the Ship Registration Act 1992; and includes a ship that is not registered under the Act but is required or entitled to be registered under the Act:

non-passenger ship means any ship that is not a passenger ship or a fishing ship or a pleasure craft:

Part means a group of rules made under the Maritime Transport Act 1994:

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

passenger ship means a ship that carries more than 12 passengers:

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

registered medical practitioner means a person who is, or is deemed to be, registered under the Health Practitioner's Competence Assurance Act 2003 with the Medical Council of New Zealand and who is practising medicine in accordance with his or her scope of practice:

registered optometrist means a person registered under the Health Practitioners Competence Assurance Act 2003 with the Optometrists and Dispensing Opticians Board who has, or is deemed to have, a current Annual Practising Certificate and who is practising optometry in accordance with his or her scope of practice:

required medical standard means the standard set out in rule 34.23:

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 or Part 32 with the effect that its validity has been preserved:

seafarer has the same meaning as in section 2 of the Act:

seafarer certificate means a certificate of competency or a certificate of proficiency issued under Part 32:

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

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

STCW certificate means a certificate that is provided for in subpart C of Part 32:

STCW Code means the Seafarers' Training, Certification and Watchkeeping Code as amended or substituted:

STCW deck certificate means the following certificates as described in rule 32.03 of Part 32: AB Deck, Chief Mate, Chief Mate <3000GT, Chief Mate Yacht, DWR, IR, Master, Master<3000GT, Master<500GT NC, Master Yacht, Master Yacht<500GT, Master <500GT, Watchkeeper Deck, Watchkeeper Deck<500GT NC:

STCW-F-aligned, in relation to a national certificate, means—

- (a) a MEC 5 with the privilege in rule 32.51(1)(e); or
- (b) a MEC 5 motor and steam with the privilege, through rule 32.55(a), in rule 32.51(1)(e); or
- (c) a MEC 4 with the privilege in rule 32.57(1)(c):

STCW-F deck certificate means a certificate that is provided for in subpart D of Part 32:

unlimited area has the same meaning as in Part 20:

voyage has the same meaning as in section 2 of the Act:

34.3 Approval of medical practitioners

- (1) Subject to such conditions as the Director considers necessary, the Director may approve a registered medical practitioner as an approved medical practitioner for the purposes of this Part if the Director is satisfied that the practitioner—
 - (a) has experience to determine whether a seafarer—
 - (i) meets the required medical standard; and
 - (ii) is fit for the duties to which the seafarer's certificate or licence relates, or which the seafarer is to perform; and
 - (b) is professionally independent from employers, seafarers, and employer and seafarer representatives; and
 - (c) satisfies the requirements specified in this Part and section 41 of the Act in respect of the approval.
- (2) An approval made under subrule (1) is valid for 5 years from the date of approval.
- (3) Every application must be submitted to the Director, with payment of the appropriate application fee prescribed by regulations made under the Act.

Subpart A: Medical examination of young persons

34.4 Medical examination of young persons

- (1) This rule applies in relation to any person under the age of 18 years unless a current certificate of medical fitness signed by an approved medical practitioner certifying fitness of that person for that employment has been shown to the master of that ship.
- (2) A person must not—
 - (a) employ a person described in subrule (1) on a New Zealand ship operating outside of restricted limits; or
 - (b) engage a person described in subrule (1) in New Zealand for employment on any ship operating outside of restricted limits.
- (3) A certificate of medical fitness of the kind referred to in subrule (1) remains in force for 12 months from the date on which it was issued, or, where the certificate would otherwise expire in the course of the voyage of the ship, until the end of that voyage.
- (4) An approved medical practitioner must issue a certificate of medical fitness for the purpose of subrule (1) if the practitioner is satisfied that the person is fit for the intended employment.

Subpart B: Medical standards for seafarers

34.20 Application

- (1) An applicant for the issue or renewal of a certificate of proficiency or a certificate of competency under Part 32 must—
 - (a) be able to demonstrate at the time of the application that the applicant is able to meet the requirements of rule 34.22 for joining or beginning employment on a ship; and
 - (b) otherwise meet the requirements of rules 34.22 and 34.23.
- (2) The following holders must meet the requirements of rules 34.22, 34.23, 34.31 and 34.32:
 - (a) the holder of an STCW, STCW-F deck, or national certificate issued by the Director under Part 32:
 - (b) the holder of a ring-fenced certificate, except that this subrule (b) will not apply to that holder and that holder is not required to meet the requirements of rules 34.22, 34.23,

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34.31, and 34.32, until 24 months after the date the certificate is confirmed to be ring-fenced by the Director under rule 32.206A(3).

- (3) Every seafarer to whom subrule (2) does not apply and who is on any of the following types of ship must meet the requirements of rules 34.22, 34.23, 34.31, and 34.32:
 - (a) a New Zealand passenger ship engaged on an international voyage; or
 - (b) a New Zealand non-passenger ship of 500 gross tonnage or more engaged on an international voyage; or
 - (c) a New Zealand passenger ship of 45 metres or more in length which proceeds on a voyage outside restricted limits; or
 - (d) a New Zealand non-passenger ship of 45 metres or more in length which proceeds on a voyage outside restricted limits.
- (4) Every seafarer who is not referred to in subrules (2) and (3) on a ship to which rule 52.1(1) applies must meet the requirements of rules 34.22, 34.23, 34.31, and 34.32.

34.21 Role of registered medical practitioners and approved medical practitioners

- (1) Subject to rule 34.4, a seafarer who requires a medical certificate of fitness for the purpose of holding a ring-fenced certificate or national certificate or applying for the issue or revalidation of a national certificate must obtain it from a registered medical practitioner.
- (2) A seafarer other than a seafarer described in subrule (1) who requires a medical certificate of fitness for the purposes of this Part, must obtain the medical certificate from an approved medical practitioner.
- (3) Accordingly, in this Part, **medical practitioner** or **medical practitioner in the relevant category** means—
 - (a) in relation to a seafarer described in subrule (1) or a certificate of medical fitness sought by that seafarer, a registered medical practitioner; and
 - (b) in relation to a seafarer other than a seafarer described in subrule (1) or a certificate of medical fitness sought by that seafarer, an approved medical practitioner.

34.22 Requirement for certificate of medical fitness

- (1) A person to whom rule 34.20 applies must not join or begin employment on a ship unless that person holds, and complies with any restrictions attached to—
 - (a) a current certificate of medical fitness category A issued under this Part; or
 - (b) a current certificate of medical fitness category A(T) or category B issued under this Part.
- (2) A person to whom rule 34.20 applies, who is employed on a ship engaged in trade in the unlimited area, must carry a certificate that is acceptable to the Director indicating the type, place, and date given of all vaccinations that the person has received.
- (3) A person to whom rule 34.20 applies must—
 - (a) complete the applicable sections of the medical examination form referred to in rule 34.23(2)(a); and
 - (b) upon completion of the medical examination form, sign the form to certify that it is a true statement; and
 - (c) inform the medical practitioner undertaking his or her medical examination of any medical history and medical records relevant for the examination; and
 - (d) surrender any previous certificate of medical fitness issued to that person for the purposes of this rule that the person continues to hold to the medical practitioner.
- (4) A person must not employ or engage a person to whom rule 34.20 applies for employment on a ship unless that person holds, and complies with any restrictions attached to,—
 - (a) a current certificate of medical fitness category A issued under this Part; or

- (b) a current certificate of medical fitness category A(T) or category B issued under this Part.

34.23 Examination of seafarers for certificate of medical fitness

- (1) A seafarer who requires a medical examination for the issue of a certificate of medical fitness in accordance with this Part must ensure that the medical examination is carried out by a medical practitioner in the relevant category as required by rule 34.21¹.
- (2) A medical practitioner carrying out a medical examination of a seafarer referred to in subrule (1) must—
 - (a) complete the applicable sections of a medical examination form that is acceptable to the Director; and
 - (b) comply with the instructions and take into account any guidance for the conduct of medical examinations outlined in Part 3 of the ILO/IMO Guidelines on the medical examination of seafarers (**the Guidelines**); and
 - (c) in the case of a seafarer to be engaged on a voyage in the unlimited area, take into consideration the guidance on vaccination requirements for seafarers outlined in Appendix 2; and
 - (d) judge whether specialised testing is required²; and
 - (e) determine whether, subject to subrules (3) and (4), the seafarer complies with the required medical standard outlined for that seafarer in this rule.
- (3) In determining whether a seafarer satisfies the required medical standard, the medical practitioner must have regard to the following:
 - (a) the matters specified in Appendices B to E of the Guidelines that may render a seafarer unfit for duty;
 - (b) the nature of the duties to which the seafarer's certificate or licence relates, or that the seafarer performs;
 - (c) whether the seafarer is new to the industry or a serving seafarer;
 - (d) any information available on the seafarer's past medical records or record of performance of his or her duties;
 - (e) the medical standards are framed to provide the maximum flexibility in their interpretation compatible with the paramount importance of maintaining the safety of vessels at sea and the safe performance of the serving seafarer's duties while protecting the seafarer's health;
 - (f) the individual examinee and whether any conditions render her or him unfit for the duties she or he is expected to perform;
 - (g) the nature of the shipping operation in which the seafarer intends to work;
 - (h) whether any medical condition or conditions may be remedied or sufficiently mitigated to allow such work;
 - (i) the health and safety of the seafarer;
 - (j) the health and safety of other seafarers and passengers;
 - (k) the safety of the ship;
 - (l) if a seafarer is granted a certificate of medical fitness while experiencing any conditions outlined in Appendix E of the Guidelines, the exceptions must be justified by the approved medical practitioner and any restrictions must be clearly noted:

¹ Any fee for the medical examination is payable by the seafarer.

² For example: chest X-rays, STD tests.

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- (4) When determining whether a seafarer satisfies the required medical standard, the medical practitioner must ensure that the seafarer's eyesight and colour vision meet the general eyesight and colour vision standards set out in rule 34.26 and Appendix 1.
- (5) For the purposes of subrule (4), the medical practitioner—
 - (a) must, in the case of a person who undergoes a medical examination for the issue of a STCW deck, STCW-F deck, or national deck certificate, make the determination in accordance with certification by a registered optometrist; and
 - (b) may, in any other case, accept certification from a registered optometrist that the seafarer's eyesight and colour vision meets the required standard.
- (6) Despite anything in this Part, the Director may require that a seafarer undergoes eyesight and vision tests conducted by a registered optometrist for the issue of a certificate of medical fitness.
- (7) If a seafarer has lost the sight in 1 eye, the seafarer may not seek a medical examination for the issue of a certificate of medical fitness until 6 months have elapsed following the loss of sight.

34.24 Additional criteria for national certificates

- (1) This rule applies if a seafarer seeks a medical certificate of fitness for the purpose of holding or applying for the issue or revalidation of a national certificate.
- (2) The registered medical practitioner must—
 - (a) have regard to Appendices B to E of the ILO/IMO Guidelines on the medical examination of seafarers with any necessary modifications required to take into account the proximity of the ships on which the seafarer will be able to work to the shore and to shore-based medical facilities; and
 - (b) have particular regard to the degree to which that proximity to shore may lower any risk of adverse effects to the health and safety of the seafarer or to other seafarers and passengers or to the safety of the ship.

34.25 Issue of medical certificate

- (1) On completion of a medical examination for the issue of a certificate of medical fitness to a seafarer, the medical practitioner must—
 - (a) issue a certificate of medical fitness to the seafarer in the form specified by the Director that indicates which medical category outlined in subrule (2) applies to the seafarer; and
 - (b) forward a copy of the certificate of medical fitness to the Director.
- (2) Medical categories for a seafarer referred to in subrule (1)(a) are:
 - A. The standard has been met for unrestricted sea service.
 - A(T) The standard has been met for unrestricted sea service but the seafarer requires medical surveillance at intervals. The certificate of medical fitness must be validated until such medical surveillance is required.³
 - B. The standard has been met for restricted sea service only. The certificate of medical fitness must be endorsed with the type and length of any restriction.⁴
 - C. The standard has not been met and the seafarer is considered temporarily unfit for sea service. The certificate of medical fitness must be endorsed with a number of weeks that should pass before the seafarer is re-examined.
 - D. The standard has not been met and the seafarer is considered indefinitely unfit for sea service. The certificate of medical fitness must be endorsed with a number of months that should pass before the seafarer is re-examined.

³ The validation should take into account the expected duration of the seafarer's tour of duty.

⁴ Restricted service means that the serving seafarer's employment is restricted by any condition such as shipping trades, geographical areas, types of ships or jobs for such periods of time as may be stipulated by the approved medical practitioner.

- E. The standard has not been met and the seafarer is considered permanently unfit for sea service.
- (3) If a medical practitioner issues a certificate of medical fitness indicating a medical category B, C, D or E the medical practitioner must—
 - (a) immediately inform the seafarer in writing of his or her right to apply for a further examination under rule 34.29 and the application procedure for such examination; and
 - (b) if appropriate, issue the seafarer with a report outlining the conditions which should be fulfilled before the seafarer applies for re-examination, including the provision of medical or other submissions to be provided in support of the application.
- (4) Where a medical practitioner finds that the seafarer needs to wear corrective lenses to meet any medical or general eyesight standard, the practitioner must endorse the seafarer's certificate of medical fitness to that effect.

34.26 General eyesight and colour vision standards and testing for eye disease

- (1) Subject to this rule, for the purposes of rule 34.23(4) and any other relevant provisions in this Part, the general eyesight and colour vision standards are set out in Appendix 1.
- (2) The standards set out in Appendix 1 must be applied as follows:
 - (a) the general eyesight standards must have been tested in accordance with this Part—
 - (i) where the medical examination is for the issue of a new certificate under Part 32, in the preceding 12 months; or
 - (ii) in any other case in the preceding 24 months; and
 - (b) the colour vision standards must have been tested in accordance with this Part in the preceding 6 years.
- (3) In addition, the seafarer must be examined as to whether there is any evidence of serious or progressive eye disease.
- (4) The relevant general eyesight and colour vision standards in Appendix 1 are:
 - (a) in relation to STCW deck certificates and STCW-F deck certificates, the standards set out in row 1 of the Table in Appendix 1:
 - (b) in relation to STCW certificates for GMDSS radio operators, radio officers, engineer officers and ratings, and electro-technical officers and ratings, the standards set out in row 2 of the Table in Appendix 1:
 - (c) in relation to national deck certificates, the standards set out in row 3 of the Table in Appendix 1:
 - (d) in relation to national engineering certificates, the standards set out in row 4 of the Table in Appendix 1:
 - (e) in relation to any other seafarer to whom this Part applies, the standard set out in row 5 of the Table in Appendix 1.
- (5) A failure to meet the standards set out in subrule (4) does not prevent a medical practitioner from issuing a medical certificate of fitness or the Director from issuing a seafarer certificate that contains limitations or restrictions designed to address the failure if—
 - (a) Appendix 1 provides for the issue of a restricted certificate; and
 - (b) the Director is satisfied that the limitations or conditions will allow the safe and effective performance of routine and emergency duties by the holder of the certificate.

34.27 Validity of a certificate of medical fitness

- (1) Subject to any time restriction imposed on a certificate under rule 34.25(1) and (2), a certificate of medical fitness remains valid for a period of two years from the date of issue
- (2) If a seafarer has been incapacitated by illness or injury for 30 or more days, the seafarer must not use his or her certificate of medical fitness until an approved medical practitioner has re-examined the seafarer and is satisfied the seafarer meets the standard for the category of certificate held.
- (3) If a seafarer has been discharged or evacuated from a ship for health reasons, the seafarer must not use his or her certificate of medical fitness until an approved medical practitioner has re-examined the seafarer and is satisfied the seafarer meets the standard for the category of certificate held.
- (4) Despite subrules (1), (2), and (3), if the Director is satisfied at any time that a reasonable doubt exists as to the medical fitness of the holder of a valid certificate of medical fitness, the Director may—
 - (a) request further information from the medical practitioner who issued the certificate; and
 - (b) require the holder of the certificate to undergo a further examination with a medical practitioner of the certificate holder's choice to test for compliance with the medical requirements of rule 34.23.
- (5) A person required by the Director to undergo an examination under subrule (4)(b) must comply with that requirement.
- (6) A medical practitioner who has examined a certificate holder under subrule (4)(b) may—
 - (a) confirm that the medical category on the certificate of medical fitness is correct and that the certificate is valid for the period stated; or
 - (b) reissue the certificate of medical fitness with a different medical category if the examiner considers the certificate holder meets a different standard to that stated on the certificate.
- (7) If a medical practitioner reissues a certificate of medical fitness under subrule (6)(b) to category B, C, D, or E, the provisions of rule 34.25(3) apply.

34.28 Expiry of certificates of medical fitness

- (1) If the period of validity of a medical certificate of fitness of a holder of an STCW certificate expires in the course of a voyage, then the medical certificate must be treated as continuing in force until the next port of call where a medical practitioner recognised by the Party is available, provided that the period shall not exceed 3 months ; and
- (2) If the period of validity of a medical certificate of fitness of a holder expires in any case other than under subrule (1), then the medical certificate may be treated as being in force until the next port of call where a medical practitioner recognised by the Party is available, provided that—
 - (a) the period shall not exceed 3 months; and
 - (b) the holder is in possession of an expired medical certificate of recent date.

34.29 Seafarer may apply for further examination

- (1) If a medical practitioner issues a certificate of medical fitness indicating a medical category B, C, D, or E, the seafarer may apply to the Director for a further examination by a medical practitioner nominated by the Director.
- (2) If a medical practitioner issues a certificate of medical fitness indicating a medical category C or D, the seafarer must not, unless the Director approves otherwise, apply for a certificate from another medical practitioner until the expiry of the period endorsed on the certificate.

34.30 Equivalent certificates

- (1) Subject to subrules (2) and (3), for the purpose of this Part or Part 32 or the recognition of any foreign equivalents to seafarer certificates under section 41 of the Act, the Director may accept a certificate of medical fitness issued to a seafarer by or on behalf of a foreign state.
- (2) A certificate of medical fitness will only be accepted under subrule (1) as equivalent for the purposes of this rule if it is relied on during any period for which the certificate is expressed to remain in force, up to the maximum validity period permitted under rule 34.27.
- (3) The Director must refuse to accept any certificate of medical fitness issued by a foreign state for the purposes of recognition of an equivalent to an STCW certificate of proficiency or certificate of competency issued under Part 32 if—
 - (a) the foreign state is not a Party to STCW; or
 - (b) the foreign state is a Party to STCW, but the Director is not satisfied that the Party meets satisfactory standards for the administration and issue of medical certificates, including standards to ensure—
 - (i) medical practitioners are appropriately recognised in accordance with STCW and the STCW Code; and
 - (ii) medical certificates contain the information required by STCW or the STCW Code and are in an appropriate format.
- (4) The Director may refuse to accept any other certificate of medical fitness issued by a foreign state for the purposes of recognition of any other certificate issued under Part 32 and instead require a medical certificate of fitness in accordance with this Part.

34.31 Requirement to wear and carry spectacles

A seafarer to whom this rule applies whose certificate of medical fitness requires the use of spectacles or contact lenses must—

- (a) wear the required spectacles or contact lenses while performing watchkeeping duties; and
- (b) have a spare pair conveniently available on board the ship.

34.32 Requirement to produce a certificate of medical fitness to the Director or master on request

A seafarer to whom this rule applies must produce his or her current certificate of medical fitness, when requested to do so by—

- (a) the Director; or
- (b) the master of the ship on which the seafarer is employed or engaged.

Subpart C: Seafarers on foreign ships

34.40 Seafarers on foreign ships

- (1) This rule applies to a seafarer on a foreign ship that is in a New Zealand port that is—
 - (a) a passenger ship engaged on an international voyage; or
 - (b) a non-passenger ship of 500 gross tonnage or more engaged on an international voyage.
- (2) The seafarer must—
 - (a) hold a current certificate of medical fitness issued by or on behalf of a state that is a party to STCW; and
 - (b) produce the certificate of medical fitness to the Director upon request.

Subpart D: Transition and revocation provisions

34.60 Former Part 34 revoked

Former Part 34 in force prior to the commencement of this Part is revoked.

34.61 Transitional provisions relating to persons recognised as Examiner under former Part 34

- (1) A person who was issued with a maritime document as an approved medical practitioner under rule 34.3 of former Part 34 prior to its revocation by this Part, which remained current immediately before the commencement of this Part, is deemed to have been issued with a maritime document as an approved medical practitioner under rule 34.3.
- (2) The deemed approval expires on the date that it would otherwise have expired under former Part 34.

Appendix 1: General eyesight and colour vision standards for seafarers

Column 1	Column 2 General eyesight standards	Column 3 Colour vision standards
Row 1: STCW deck certificates and STCW-F deck certificates	As prescribed in A-I/9 of STCW Code. Must pass general eyesight test in accordance with this standard.	As prescribed in A-I/9 of STCW Code Must pass colour vision test in accordance with this standard.
Row 2: STCW certificates for GMDSS radio operators, radio officers, engineer officers and ratings, and electro-technical officers and ratings	As prescribed in A-I/9 of STCW Code. Must pass a general eyesight test subject to allowance in standard for combined vision.	As prescribed in A-I/9 of STCW Code. Restricted certificate permitted if fail, as considered appropriate by the Director
Row 3: National deck certificates	As for row 1 – STCW deck and STCW-F deck certificates.	As for row 1 - STCW and STCW-F deck certificates. Restricted certificate limiting exercise of privileges to daylight hours only to be issued if fail.
Row 4: National engineering certificates	As for row 2 - STCW certificates	No standard to meet
Row 5: Others	Sufficient for duties	Sufficient for duties

Appendix 2: Guidance on vaccination requirements for seafarers

Seafarers should be vaccinated according to the requirements indicated—

- (a) in the World Health Organisation publication International Travel and Health: Vaccination Requirements and Advice which is updated periodically; or
- (b) by the International Association of Medical Assistance to Travellers; or
- (c) by a recognised source similar to those listed in Appendix 3(a) and (b) that is acceptable to the Director.