

# Advisory Circular

Part 51: Crew Accommodation

Issue No. 51-1 10 May 2000

## 1. General

Maritime Safety Authority Advisory Circulars are designed to give you assistance and explanations about the standards and requirements set out in the rules. However, the notes contained in advisory circulars should not be treated as a substitute for the rules themselves, which are the law.

When a number such as 51.4 is referred to, this is a reference to a specific rule within Part 51.

## 2. Relationship between Part 51 and Part II of the Health and Safety in Employment Act

Part 51 of the maritime rules sets out comprehensive minimum accommodation standards for seafarers on commercial New Zealand ships of 200 tons gross tonnage or more, apart from -

- ships which do not proceed beyond enclosed water limits;
- ships of less than 500 tons gross tonnage which do not proceed beyond restricted coastal limits;
- fishing boats;
- ships primarily propelled by sail;
- ships complying with the IMO High Speed Craft Code.

These standards have a direct relationship to the health and safety in employment provisions of Part II of the Health and Safety in Employment Act 1992. Owners who are employers should find the detailed requirements of Part 51 useful in elaborating some aspects of their hazard management plans.

## 3. Accommodation standards for other ships

The crew accommodation requirements for fishing ships are given in Part 40D. Any crew accommodation requirements for restricted limit ships are included in Parts 40A, 40C and 40E as appropriate.

KEEPING YOUR SEA SAFE FOR LIFE



**Maritime Safety**

MARITIME SAFETY AUTHORITY OF NEW ZEALAND  
*Kia Maanu Kia Ora*

#### 4. **Authorised organisations and persons**

The following organisations have entered into a memorandum of agreement with the Director and are 'authorised organisations' for the purposes of Part 51:

- American Bureau of Shipping
- Bureau Veritas
- Det Norske Veritas
- Germanischer Lloyd
- Lloyd's Register of Shipping

Persons employed by the above organisations have been delegated powers from the Director which permit them to undertake the functions of an 'authorised person' in respect of Part 51.

#### 5. **Spare gear for trunked mechanical ventilation systems**

It is recommended that the following spare gear be provided as a minimum for each size of electric motor employed to operate a trunked mechanical ventilation system –

*For direct current motors*

- 1 armature
- 1 field coil
- 1 set of bearings
- 1 set of carbon brushes
- 1 brush holder

*For alternating current motors*

- 1 set of stator windings, complete with insulation pieces
- 1 set of bearings

*For each size of starter for alternating current motors*

- 1 set of contacts
- 1 set of springs
- 1 operating coil

#### 6. **Exemptions from compliance with rules in Part 51**

Rule 51.41 provides for the Director, under section 47 of the Maritime Transport Act 1994, to exempt certain ships from any provision of any rule in Part 51. Under section 47 exemptions are not permitted where they would breach New Zealand's convention obligations. The exemptions for certain ships in rule 51.41 are permitted by the International Labour Organisation 'Accommodation of Crews (Supplementary Provisions) Convention, 1970 (No. 133)'.

The International Labour Organisation crew accommodation conventions of 1949 and 1970 (ILO 92 and 133) contemplate a number of situations where exemptions may be granted by the administration of a state party in respect of specific requirements. For example, exemptions may be given by the Director from the following requirements of ILO 92 and 133 found in Part 51 -

- *crew accommodation heating requirements - rule 51.7*

A ship of under 500 tons gross tonnage may be exempted from the heating system requirements contained in rule 51.7(2) if the Director is satisfied that the crew accommodation is fitted with suitable means of heating.

- *height of crew accommodation - rule 51.13*

The Director may approve a limited reduction in the headroom required under rule 51.13 where satisfied that it is reasonable to do so and that the reduction will not result in discomfort to the seafarers.

- *location and general arrangement of sleeping rooms for seafarers - 51.16*

The Director may exempt a ship from the requirements of rule 51.16(c) where compliance is considered unreasonable or impracticable by reason of the size, type and intended service of the ship. But sleeping rooms will not be permitted to be located forward of the collision bulkhead.

- *sleeping rooms on non-passenger ships for seafarers of under and over 18 years - rule 51.16*

The Director may permit the requirements of rule 51.16(e) to apply instead of rule 51.16(d) where compliance with rule 51.16(d) is considered unreasonable or impractical by reason of the number of seafarers, the size of the ship, its general arrangement and intended service.

- *Sleeping rooms for officers - rule 51.17*

Any ship of less than 1,000 tons gross tonnage may be exempted from the requirements of rule 51.17(1) where compliance is considered unreasonable or impractical in the circumstances and where the floor area per person is not less than 2 square metres in the case of a passenger ship and 3 square metres in the case of a ship which is not a passenger ship.

- *provision of beds for seafarers - rule 51.20*

The Director is able to exempt ships of less than 500 tons gross tonnage from the requirements of rules 51.20(4)(c), 51.20(4)(d)(iii), 51.20(4)(d)(v), 51.20(4)(d)(vi), and 51.20(5)(a).

Exemptions from rule 51.20(5)(a) are also possible for other ships where it is considered unreasonable or impractical in the circumstances to require compliance.

- *furniture and fittings in sleeping rooms for seafarers who are officers - rule 51.21*

The Director may exempt a ship of less than 400 tons gross tonnage from any of the requirements of rules 51.21(3) to 51.21(7), where he or she considers it unreasonable or impractical in the circumstances to require compliance.

- *furniture and fittings in sleeping rooms for seafarers who are not officers - rule 51.22*

The Director may exempt any ship of less than 400 tons gross tonnage from any of the requirements of rules 51.22(3) and 51.22(4), where it is considered unreasonable or impractical in the circumstances to require compliance.

- *mess rooms - furniture and fittings - rule 51.24*

Any ship of less than 500 tons gross tonnage may be exempted from any of the requirements of rules 51.24(7) and 51.24(8).

- *cold store rooms and refrigeration equipment - rule 51.35*

The Director may exempt a ship of less than 1,000 tons gross tonnage from the requirement in rule 51.35 to provide cold-store rooms if satisfied that the ship is provided with adequate alternative equipment for the storage of perishable provisions.

- *General exemption for ships where the crew accommodation is equivalent or superior in standard to the Part 51 requirements*

The Director may exempt a ship from the requirements of Part 51 if the Director is satisfied that corresponding advantages are provided in the ship so that the crew accommodation, considered as a whole, is equivalent or superior in standard to that required by Part 51. This would involve consultation with the owners of the ship and with the seafarers on the ship or the seafarers' representatives.

We note that the power under section 47 of the Maritime Transport Act 1994 to grant exemptions is not limited to the examples given above. Each application must be considered by the Director on its own merits. It is anticipated that under the rules structure exemptions will only be required in exceptional circumstances.

ISBN 0-478-21652-1

Published by Maritime Safety Authority of New Zealand  
P O Box 27006, Wellington, New Zealand

Crown Copyright 2000-2005