

DISALLOWABLE INSTRUMENT



Maritime Transport Act 1994

Maritime Rules

Maritime Rules Various SOLAS-related Amendments 2015

Pursuant to sections 36 of the Maritime Transport Act 1994 I, Craig Foss, Associate Minister of Transport, having had regard to the criteria for making maritime rules in section 39(2) of the Maritime Transport Act 1994, hereby make the following Maritime Rules.

Signed at Wellington

This

19th

day of

April

2015

By Hon CRAIG FOSS



Associate Minister of Transport

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Maritime Rules

Part 23: Operating Procedures and Training

3 Rule 23.2: Definitions 1

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Rule objective

The objective of the Maritime Rules Various SOLAS-related Amendments 2015 is to ensure that the Maritime Rules reflect changes to SOLAS. As a result changes are being made to Parts 23, 24C, 40B and 42A. The relevant convention is the International Convention for the Safety of Life at Sea (SOLAS).

Maritime Rules are disallowable instruments under 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 that Act.

Extent of consultation

In December 2014 and January 2015, Maritime New Zealand consulted, via its website, with the public on drafts of the proposed amendments to the maritime rules in accordance with the Act, including the expected costs and benefits. A notice regarding this consultation was placed in the New Zealand Gazette on 4 December 2014. The deadline for making a submission was 30 January 2015. No submissions were received.

Entry into force

These rules enter into force on 1 June 2015.

Part 23: Operating Procedures and Training

1 Rule 23.2 Definitions

- (a) In rule 23.2, before the definition of “Day”, insert—
“**Date of build** means the date on which the keel is laid or on which the ship is at a similar stage of construction or on which a ship undergoes modifications of a major character.”.
- (b) In rule 23.2, insert, after the definition of “Foreign ship”—
“**IMO Resolution A.1050(27)** means the resolution adopted by the International Maritime Organization Assembly, titled *Revised Recommendation for Entering Enclosed Spaces Aboard Ships*.”
- (c) In rule 23.2, delete the definition of “margin line”.
- (d) In rule 23.2, insert, after the definition of “Ship”—
“**SOLAS ship** means:
- (a) all passenger ships operating in the unlimited area:
 - (b) all non-passenger ships of 500 tons gross tonnage or over operating in the unlimited area:
 - (c) all passenger ships and non-passenger ships of 45 metres or more in length operating outside restricted limits.”.

2 Rule 23.3 Definitions relating to section 1

In rule 23.3, delete the definition of “SOLAS ship”.

3 Rule 23.9 Emergency training and drills

- (a) In rule 23.9, replace subrule (1) and its footnotes, and subrule (2), with—
- “(1) The master of a ship to which this rule applies must ensure that practice musters and drills are carried out in the following manner and at the following times:
- (a) an abandon ship drill and a fire drill must take place weekly, but each individual crew member need participate in only 1 abandon ship drill and 1 fire drill every month:
 - (b) where more than 25% of the crew have not participated in abandon ship and fire drills on board that particular ship in the previous month, a drill shall take place within 24 hours of the ship leaving port⁴:
 - (c) when a ship enters service for the first time, or after a modification that could affect abandon ship or fire fighting procedures, or when a new crew is engaged, abandon ship and fire drills must be held before sailing⁵:
 - (d) on a passenger ship that is both a New Zealand ship and a SOLAS ship, an enclosed space entry and rescue drill onboard the ship must be held at least once every two months for crew members with enclosed space entry or rescue responsibilities.
- ⁴ Where this is impracticable for a ship, the Director may accept other arrangements by exemption under section 47 of the Maritime Transport Act.
- ⁵ Where this is impracticable for a ship, the Director may accept other arrangements by exemption under section 47 of the Maritime Transport Act.
- (2) The master of a ship to which this rule applies must ensure that passenger musters and safety briefings are carried out in the following manner and at the following times:
- (a) when the ship is engaged on a voyage where passengers are scheduled to be on board for more than 24 hours, musters of newly-embarked

passengers shall take place prior to or immediately upon departure. Each muster must include a safety briefing to passengers on the use of the lifejackets and the action to take in an emergency:

- (b) whenever new passengers embark on the ship, a passenger safety briefing must be given immediately before or immediately after sailing.”.
- (b) In footnote 6, referred in rule 23.9(3)(b)(ii), replace the first sentence with—
“The briefing may be included in the muster required by rule 23.9(2)(a).”.
- (c) Replace rule 23.9(4) with—
“The master of a ship to which this rule applies must ensure the following drills are conducted, as far as practicable, as if there were an actual emergency:
 - (a) abandon ship and fire drills:
 - (b) on a passenger ship that is both a New Zealand ship and a SOLAS ship, enclosed space entry and rescue drills.”.
- (d) In rule 23.9(7), in the first sentence, between “lifeboats are launched” and “at the following intervals”, insert “in the following manner and”.
- (e) Replace rule 23.9(7)(b) with—
“(b) in the case of a free-fall lifeboat—
 - (i) at least once every three months, during an abandon ship drill—
 - (A) the crew shall—
 - (I) board the lifeboat; and
 - (II) properly secure themselves in their seats; and
 - (III) commence launch procedures up to but not including the actual release of the lifeboat (i.e., the release hook shall not be released); and
 - (B) the lifeboat shall—
 - (I) be free-fall launched with only the operating crew on board; or
 - (II) be lowered into the water by a secondary means of launching with or without the operating crew on board; and
 - (C) the lifeboat shall be manoeuvred in the water by the operating crew; and
 - (ii) at least once every six months, the lifeboat shall be launched—
 - (A) by free-fall launching with only the operating crew on board; or
 - (B) by simulated launching.”.
- (f) Before rule 23.9(8), insert—
“(7A) The master of a passenger ship to which this rule applies that is both a New Zealand ship and a SOLAS ship must ensure that enclosed space entry and rescue drills—
 - (a) are carried out in a planned and safe manner taking into account IMO Resolution A.1050(27); and
 - (b) include—
 - (i) checking and use of personal protective equipment required for entry; and
 - (ii) checking and use of communication equipment and procedures; and

- (iii) checking and use of instruments for measuring the atmosphere in enclosed spaces; and
- (iv) checking and use of rescue equipment and procedures; and
- (v) instruction in first aid and resuscitation techniques.”.

4 Rule 23.10 Training and on-board instruction

- (a) In rule 23.10, at the end of subrule (3)(c)(iv), replace the fullstop (“.”) with “; and”.
- (b) In rule 23.10, after subrule (3)(c)(iv), insert—
 - “(v) on a passenger ship that is both a New Zealand ship and a SOLAS ship, risks associated with enclosed spaces and onboard procedures for safe entry into such spaces taking into account IMO Resolution A.1050 (27).”.
- (c) In rule 23.10, after subrule (6), insert—
 - “(7) The owner of a ship to which this rule applies that is both a New Zealand ship and a SOLAS ship must ensure that the ship has ship-specific plans and procedures for recovery of persons from the water that—
 - (a) identify the equipment intended to be used for recovery purposes; and
 - (b) identify measures to be taken to minimise the risk to shipboard personnel involved in recovery operations.
 - (7A) For ships with a date of build before 1 January 2016, the requirement in subrule (7) applies by, whichever comes first—
 - (a) the first periodical survey after this rule comes into force; or
 - (b) the first renewal safety equipment survey of the ship carried out after this rule comes into force.”.

5 Rule 23.14 Entries to be made in the logbook

- (a) In rule 23.14, at the end of subrule (1)(f), replace the fullstop (“.”) with “; and”.
- (b) In rule 23.14, after subrule (1)(f), insert—
 - “(g) the date and details of enclosed space entry and rescue drills on ships to which rule 23.9(7A) applies.”
- (c) In rule 23.14(2), after the words “abandon ship or fire drill,” in both instances insert “enclosed space entry and rescue drill,”.

6 Rule 23.21 Emergency training and drills

- (a) In rule 23.21(1), in the first sentence, between “drills are carried out” and “at the following times”, insert “in the following manner and”.
- (b) In rule 23.21, at the end of subrule (1)(b)(ii), replace the fullstop (“.”) with “; and”.
- (c) In rule 23.21, after subrule (1)(b), insert—
 - “(c) on a non-passenger ship that is both a New Zealand ship and a SOLAS ship, an enclosed space entry and rescue drill onboard the ship must be held at least once every two months for crew members with enclosed space entry or rescue responsibilities.”.
- (d) In rule 23.21, replace subrule (4) with—
 - “(4) The master of a ship to which this rule applies must ensure the following drills are conducted, as far as practicable, as if there were an actual emergency:
 - (a) abandon ship and fire drills:

- (b) on a non-passenger ship that is both a New Zealand ship and a SOLAS ship, enclosed space entry and rescue drills.”.
- (e) In rule 23.21(7), in the first sentence, between “lifeboats are launched” and “at the following intervals”, insert “in the following manner and”.
- (f) Replace rule 23.21(7)(b) with—
 - “(b) in the case of a free-fall lifeboat—
 - (i) at least once every three months, during an abandon ship drill—
 - (A) the crew shall—
 - (I) board the lifeboat; and
 - (II) properly secure themselves in their seats; and
 - (III) commence launch procedures up to but not including the actual release of the lifeboat (i.e., the release hook shall not be released); and
 - (B) the lifeboat shall—
 - (I) be free-fall launched with only the operating crew on board, or
 - (II) be lowered into the water by a secondary means of launching with or without the operating crew on board; and
 - (C) the lifeboat shall be manoeuvred in the water by the operating crew; and
 - (ii) at least once every six months, the lifeboat shall be launched—
 - (A) by free-fall launching with only the operating crew on board; or
 - (B) by simulated launching.”.
- (g) Before rule 23.21(8), insert—
 - “(7A) The master of a non-passenger ship to which this rule applies that is both a New Zealand ship and a SOLAS ship must ensure that enclosed space entry and rescue drills—
 - (a) are carried out in a planned and safe manner taking into account IMO Resolution A.1050(27); and
 - (b) include—
 - (i) checking and use of personal protective equipment required for entry; and
 - (ii) checking and use of communication equipment and procedures; and
 - (iii) checking and use of instruments for measuring the atmosphere in enclosed spaces; and
 - (iv) checking and use of rescue equipment and procedures; and
 - (v) instruction in first aid and resuscitation techniques.”.

7 Rule 23.22 Training and on-board instruction

- (a) In rule 23.22, at the end of subrule (3)(c)(iv), replace the fullstop (“.”) with “; and”.
- (b) In rule 23.22, after subrule (3)(c)(iv), insert—
 - “(v) on a ship that is both a New Zealand ship and a SOLAS ship, risks associated with enclosed spaces and onboard procedures for safe entry into such spaces taking into account IMO Resolution A.1050 (27).”.
- (c) In rule 23.22, after subrule (5), insert—

- “(6) The owner of a ship to which this rule applies that is both a New Zealand ship and a SOLAS ship must ensure that the ship has ship-specific plans and procedures for recovery of persons from the water that—
 - (a) identify the equipment intended to be used for recovery purposes; and
 - (b) identify measures to be taken to minimise the risk to shipboard personnel involved in recovery operations.
- (6A) For ships with a date of build before 1 January 2016, the requirement in subrule (6) applies by, whichever comes first—
 - (a) the first periodical survey after this rule comes into force; or
 - (b) the first renewal safety equipment survey of the ship carried out after this rule comes into force.”.

8 Rule 23.24 Entries to be made in the logbook

- (a) In rule 23.24, at the end of subrule (1)(f), replace the fullstop (“.”) with “; and”.
- (b) In rule 23.24, after subrule (1)(f), insert—
 - “(g) the date and details of enclosed space entry and rescue drills on ships to which rule 23.21(7A) applies.”
- (c) In rule 23.24(2), after the words “abandon ship or fire drill,” in both instances insert “enclosed space entry and rescue drill,”.

9 Rule 23.31 Foreign ships at a New Zealand port or offshore terminal

- (a) In rule 23.31(a), replace “18, 24-2, 24-4, 25 50 and 53” with “17-1, 19, 27, 29, 30, and 37”.
- (b) In rule 23.31(b), replace “15, 19.2 and 23” with “7, 26, 28 (paragraph 2), and 30”.

10 Rule 23.34 Openings in the shell plating

In rule 23.34(2), replace “cargo and coaling ports fitted below the margin line” with “cargo and fuelling ports fitted below the bulkhead deck”.

11 Rule 23.35 Cargo loading doors

In rule 23.35(1), replace “margin line” with “bulkhead deck”.

12 Rule 23.36 Watertight integrity from the ro-ro deck to spaces below

In rule 23.36, after subrule (5), insert—

- “(6) In addition to the requirements of rules 23.36(2), (4), and (5), the master of a ro-ro passenger ship that is a SOLAS ship with a date of build on or after 1 January 2016 must ensure—
 - (a) special category spaces and ro-ro spaces are continuously patrolled or monitored by effective means, such as television surveillance, so that any movement of vehicles in adverse weather conditions and unauthorised access by passengers can be detected whilst the ship is underway; and
 - (b) there are documented operating procedures kept onboard and posted at an appropriate place that set out the procedures for closing and securing all shell doors, loading doors and other closing appliances which, if left open or not properly secured, could lead to flooding of a special category space or ro-ro space; and
 - (c) all accesses from the ro-ro deck and vehicle ramps that lead to spaces below the bulkhead deck are closed before the ship leaves the berth on any voyage and remain closed until the ship is at its next berth.”.

Maritime Rules

13 Rule 23.37 Drills, inspections and training

- (a) In rule 23.37(2)(b), delete “below the margin line”.
- (b) In rule 23.37(3), replace “transverse” with “watertight”.

14 Rule 23.41 Drills, inspections and training

- (a) In rule 23.41(3), replace “transverse” with “watertight”.
- (b) In rule 23.41(2)(b), delete “below the margin line”.

15 Rule 23.49 Master’s discretion for safe navigation

- (a) In the heading of 23.49, delete “for safe navigation”.
- (b) In rule 23.49(1), replace “for safe navigation, in particular in severe weather and heavy seas” with “for the safety of life at sea and the protection of the marine environment”.

16 Section 4 Ships routeing and speed near ice

Replace the heading for Section 4 of Part 23, with—

“Section 4 — Ship’s routeing, speed near ice, reporting systems, and daily reporting”.

17 Rule 23.54 [New Rule]

After rule 23.53, insert—

“23.54 Ship’s daily reporting

- (1) The master of a ship to which this rule applies that is a SOLAS ship, engaged on an international voyage exceeding 48 hours, must, for the duration of the voyage, submit a daily report to the owner (as defined in rule 21.2) of the ship.
- (2) The owner of a ship must retain all daily reports received under subrule (1).
- (3) In submitting the daily reports under subrule (1), the master may—
 - (a) transmit the report by any means, provided that they are transmitted to the owner as soon as practicable after determination of the position named in the report; and
 - (b) use an automated reporting system, provided that—
 - (i) it includes a recording function of its transmission; and
 - (ii) position-fixing equipment is subjected to regular verification by the ship’s master.
- (4) The daily report shall contain—
 - (a) the ship’s position; and
 - (b) the ship’s course and speed; and
 - (c) details of any external or internal conditions that are affecting the ship’s voyage or the normal safe operation of the ship.”.

18 Part 23 Section 5 [New Section]

After Rule 23.54, insert—

“Section 5 – Stability”.

19 Rule 23.55 [New Rule]

After Section 5 heading, insert—

“23.55 Application of section 5

- (1) Rule 23.56 applies to:

- (a) a New Zealand ship that is a SOLAS ship:
 - (b) a foreign ship that is a SOLAS ship while in a New Zealand port or at a New Zealand offshore installation.
- (2) Rule 23.57 applies to:
- (a) a New Zealand ship that is both a passenger ship and a SOLAS ship:
 - (b) a foreign ship that is both a passenger ship and a SOLAS ship while in a New Zealand port or at a New Zealand offshore terminal.”.

20 Rule 23.56 [New Rule]

After rule 23.55, insert—

“23.56 Damage control plans and information

On a ship to which this rule applies, the owner must ensure that the ship is provided with the damage control plans and information required by Regulation 19 of Chapter II-1 of SOLAS.”.

21 Rule 23.57 [New Rule]

(1) After rule 23.56, insert—

“23.57 Stability and trim

- (1) On a ship to which this rule applies that has a date of build on or after 1 January 2016, the master of the ship must, on completion of loading the ship and prior to its departure—
- (a) determine the ship’s trim; and
 - (b) determine, by calculation¹, the ship’s stability; and
 - (c) ascertain and record that the ship is in compliance with all relevant stability criteria.”.
- (2) At the foot of the page that contains rule 23.57(b), insert the footnote:
- ¹ For which purpose an electronic loading and stability computer or equivalent means may be used.”.

Part 24C: Carriage of Cargoes – Specific Cargoes

22 Part 24C Part objective

- (1) In the third paragraph of the Part objective of Part 24C, replace “Code of Safe Practice for Solid Bulk Cargoes (BC Code)” with “International Maritime Solid Bulk Cargoes Code (IMSBC Code)”.
- (2) Between the fifth paragraph and the sixth (penultimate) paragraph of the Part objective of Part 24C, insert a new paragraph—
- “For ships loading oil fuel cargoes and bunkers and bulk liquid cargoes, Part 24C implements the provisions of SOLAS Chapter VI Part A.”.

23 Rule 24C.2 Definitions

In the definition of “transportable moisture limit” in rule 24C.2, replace “BC Code” with “IMSBC Code”.

24 Rule 24C.3 Cargo information

In rule 24C.3, insert, after subrule (2)—

- “(3) The shipper of a cargo to be carried on a ship to which section 2 of Part 24C and the IMSBC Code apply must provide the master or the master's representative with the information required by section 4 of the IMSBC Code.”.

25 Rule 24C.7 Definitions applying to section 2

In rule 24C.7, replace the definition of “BC Code” with—

“IMSBC Code means the International Maritime Solid Bulk Cargoes Code published by the International Maritime Organization as amended from time to time:”.

26 Rule 24C.9 Acceptability for shipment

- (1) In rule 24C.9(3), replace “BC Code” with “IMSBC Code”.

(2) After rule 24C.9(3), insert—

“(4) The owner of a ship to which this rule and the IMSBC Code apply must ensure that the booklet required by SOLAS Chapter VI, Regulation 7, paragraph 2, is provided to the ship.

(5) Where solid bulk cargo is being loaded onto or unloaded from a ship to which this rule and the IMSBC Code apply, the master and a representative of the port must ensure that—

- (a) the ship has a loading and unloading plan complying with SOLAS Chapter VI, Regulation 7, paragraph 3; and
- (b) if the cargo is being loaded or unloaded at a New Zealand port, the plan required by subrule (5)(a) is submitted to the Director in advance of loading or unloading; and
- (c) if the cargo is being loaded or unloaded at a port outside New Zealand, the plan required by subrule (5)(a) is submitted to the appropriate authority of the port state of loading or unloading.

(6) A shipper of cargo not listed in Appendix 1 of the IMSBC Code must ensure the cargo is not presented for loading onto a ship to which this rule and the IMSBC Code apply at a port or other facility in New Zealand without prior approval from the Director.

(7) An application for the approval required under subrule (6) must—

- (a) be made by the shipper to the Director; and
- (b) include information on the characteristics and properties of the cargo.”.

27 Rule 24C.10 Requirements for ships carrying solid bulk cargo

- (1) In rule 24C.10, in the heading between “**ships**” and “**carrying**”, insert “**loading, unloading, and**”.

(2) In rule 24C.10, replace subrule (1) with—

“The owner and the master of a ship to which this rule and the IMSBC Code apply must ensure that cargoes are—

- (a) loaded, unloaded; and
- (b) carried—

in accordance with SOLAS Chapter VI, Regulation 7, the plan required by rule 24C.9(5), and the IMSBC Code.”.

- (3) After rule 24C.10(4), insert—
- “(5) The master of a ship to which this rule and the IMSBC Code apply, may, during loading or unloading, suspend the loading or unloading if the limits in the plan required by rule 24C.9(5) are exceeded, or are likely to be exceeded.
- (6) If loading or unloading is suspended under subrule (5)—
- (a) if the ship is in a New Zealand port, the master must notify the Director; and
- (b) if the ship is in a port outside New Zealand, the master must notify the authority in the port State with which the plan has been lodged; and
- (c) the master and the representative of the port where the ship is being loaded or unloaded must ensure that corrective action is taken.
- (7) When a ship to which this rule and the IMSBC Code apply is being unloaded, the representative of the port must ensure that the method used to unload the ship does not damage the ship's structure.
- (8) The master of a ship to which this rule and the IMSBC Code apply must ensure that where possible:
- (a) the ship's draught is checked regularly during loading and unloading to confirm tonnage figures:
- (b) the draught and tonnage are recorded in a cargo load-book.
- (9) The master of a ship to which this rule and the IMSBC Code apply must ensure that cargo operations are continuously monitored.
- (10) The master of a ship to which this rule and the IMSBC Code apply must ensure that, where there are significant deviations from the plan required by rule 24C.9(5), cargo or ballast operations are adjusted to correct the deviations.”.

28 Rule 24C.11 Definitions applying to section 3

In the definition of “Code for Timber Deck Cargoes” in rule 24C.11, replace “A.715(17)” with “A.1048(27)”.

29 Part 24C Section 5 [New Section]

After Rule 24C.18, insert—

“Section 5 – Oil fuel and bulk liquid cargoes”.

30 Rule 24C.19 [New Rule]

After Section 5 heading, insert—

“24C.19 Definitions relating to section 5

restricted limits has the same meaning as in Part 20:

SOLAS ship means:

- (a) all passenger ships operating in the unlimited area; and
- (b) all non-passenger ships of 500 tons gross tonnage or over operating in the unlimited area; and
- (c) all passenger ships and non-passenger ships of 45 metres or more in length operating outside restricted limits:

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

31 Rule 24C.20 [New Rule]

After rule 24C.19, insert—

“24C.20 Material safety data sheets

The owner and the master of a SOLAS ship carrying oil or oil fuel, as defined in Part 120, must ensure that material safety data sheets, based on the recommendations in MSC.286(86), are provided on the ship prior to the loading of such oil as cargo in bulk or bunkering of oil fuel.”.

32 Rule 24C.21 [New Rule]

After rule 24C.20, insert—

“Rule 24C.21 Prohibition of the blending of bulk liquid cargoes and production processes during voyages

- (1) The owner and the master of a SOLAS ship must ensure that bulk liquid cargoes are not physically blended during voyages. Physical blending refers to the process whereby the ship's cargo pumps and pipelines are used to internally circulate two or more different cargoes with the intent to achieve a cargo with a new product designation. This prohibition does not preclude the master from undertaking cargo transfers for the safety of the ship or protection of the marine environment.
- (2) Subrule (1) does not apply to the blending of products for use in the search and exploitation of seabed mineral resources on board ships used to facilitate such operations.
- (3) The owner and the master of a SOLAS ship must ensure that production processes are not undertaken on board a ship during voyages. This means any deliberate operation whereby a chemical reaction between a ship's cargo and any other substance or cargo takes place.
- (4) Subrule (3) does not apply to the production processes of cargoes for use in the search and exploitation of seabed mineral resources on board ships used to facilitate such operations.”.

Part 40B: Design, Construction and Equipment – SOLAS Ships

33 Rule 40B.21 Lifesaving appliances

After rule 40B.21(2), insert—

- “(3) The owner of a ship to which subrule (2) applies must—
- (a) ensure that not later than the first dry-docking after 1 January 2016, but not later than 1 July 2019, lifeboat on-load release mechanisms not complying with paragraphs 4.4.7.6.4 and 4.4.7.6.6 of the International Life-Saving Appliance Code (LSA Code) are replaced with equipment that complies with the LSA Code; and
 - (b) when evaluating whether life-boat on-load release mechanisms must be replaced, refer to the *Guidelines for Evaluation and Replacement of Lifeboat Release and Retrieval Systems* (MSC.1/Circ.1392).”.

**Part 42A: Safety Equipment – Life-Saving Appliances
Performance Maintenance and Servicing**

34 Rule 42A.2 Definitions

- (a) In rule 42A.2, before the definition of “Director”, insert—

“**Date of build** means the date on which the keel is laid or on which the ship is at a similar stage of construction or on which a ship undergoes modifications of a major character.”.

35 Rule 42A.5 Approval of life-saving appliances

After rule 42A.5(3), insert—

- “(4) Where approval for alternative design and arrangements for SOLAS life-saving appliances required by Part 40B are sought, the owner of a ship with a date of build on or after 1 January 2016 must comply with the applicable requirements of Part C of Chapter III of SOLAS.”.

36 Rule 42A.33 Maintenance

- (1) In rule 42A.33(b), insert at the end “and having due regard to the reliability of the life-saving appliances”.
- (2) In rule 42A.33(c)(ii), replace the fullstop (“.”) with “; and”.
- (3) After rule 42A.33(c)(ii), insert—
 - “(iii) inspected periodically with special regard for areas passing through sheaves.”.

37 Rule 42A.35 Weekly tests and inspection

Replace rule 42A.35 with—

- “(1) The owner and the master of a ship of 24 metres or more in length overall must ensure that the following tests and inspections are carried out at intervals of not more than one week:
- (a) visually inspect all survival craft, rescue boats and launching appliances to ensure that they are ready for use. On a New Zealand ship to which Part 40B applies this should include the condition of hooks, their attachment to the lifeboat, and whether the on-load release gear is properly and completely reset; and
 - (b) except as provided for in rule 42A.35(c) in respect of the special characteristics of outboard motors of rescue boats, run ahead and astern each engine in each lifeboat and each rescue boat for a total period of not less than three minutes, provided that the ambient temperature is above the minimum temperature required for starting the engine. This must demonstrate that the gearbox and gearbox train are engaging satisfactorily. If, on a New Zealand ship to which Part 40B applies, the special characteristics of an outboard motor fitted to a rescue boat would not allow it to be run other than with its propeller submerged for a period of 3 minutes, a suitable water supply may be provided; and
 - (c) run ahead and astern each outboard motor of each rescue boat for a total period prescribed by the manufacturer whenever the special characteristics of the motor do not permit it to be run other than with its propeller submerged for a period of three minutes; and
 - (d) test the general emergency alarm; and
 - (e) lifeboats, except free-fall lifeboats, on a New Zealand ship that is a non-passenger ship to which Part 40B applies shall be moved from their stowed position, without any persons on board, to the extent necessary to demonstrate satisfactory operation of launching appliances, if weather and sea conditions so allow.
- (2) The owner and the master of a ship to which subrule (1) applies must ensure that, where a New Zealand official logbook is required by Part 73, a report of the inspections conducted under subrule (1) is entered in the logbook.”.

38 Rule 42A.36 Monthly inspections

- (1) In rule 42A.36(b), replace the fullstop (“.”) with “; and”.
- (2) After rule 42A.36(b), insert—
 - “(c) lifeboats, except free-fall lifeboats, on a New Zealand ship to which Part 40B applies, are turned out from their stowed position at intervals of not more than

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one month, without any persons on board, if weather and sea conditions so allow.”.

39 Rule 42A.40A [New Rule]

After rule 42A.40, insert—

“42A.40A Periodic servicing of launching appliances and on-load release gear

The owner and the master of a ship to which Part 40B applies must ensure that launching appliances, lifeboat on-load release gear, and davit-launched automatic release hooks are—

- (a) maintained in accordance with the instructions for on-board maintenance required by rule 42A.33(a); and
- (b) examined and tested in accordance with the requirements of Regulation 20 of Chapter III of SOLAS.”.

40 Rule 42A.41 Training manuals

In rule 42A.41, insert, as part of but at the end of subrule (2), “The training manual must be written in the working language of the ship.”.

Summary of Submissions

These rules were consulted during December 2014 and January 2015. No submissions were received.