MINISTRY of TRANSPORT
TE MANATŪ WAKA

WELLINGTON NEW ZEALAND

PURSUANT to Section 36 of the Maritime Transport Act 1994

I, MARK JAMES GOSCHE, Minister of Transport,

HEREBY MAKE the following maritime rules.

SIGNED AT Wellington

This 6th day of December 2000

by **MARK JAMES GOSCHE**

Minister of Transport

Maritime Rules

Part 25

NAUTICAL CHARTS AND PUBLICATIONS

Maritime Rules

Part 25

Nautical Charts and Publications

Contents

Part objective
Extent of Consultation
Commencement

Section 1 – General **1**

25.1 Entry into Force 1
25.2 Definitions 1
25.3 Application 2

Section 2 – Area Requirements **3**

25.4 Unlimited area 3
25.5 Offshore and Coastal Areas 3
25.6 Inshore and Enclosed Areas 3

Section 3 – Chart and Publication Requirements **4**

25.7 Nautical Charts 4
25.8 Nautical Publications 5

Part Objective

This Part sets out the requirements for carrying charts and nautical publications on ships. It applies these requirements, with certain specified exceptions, to commercial vessels of 12 metres or more in length overall that operate within enclosed water limits and all commercial vessels operating outside enclosed water limits.Part 25 ensures that New Zealand continues to meet its obligations under Chapter V, Regulation 20 (Nautical Publications), and Regulation 21 (International Code of Signals), of the International Convention for the Safety of Life at Sea, 1974, (SOLAS). Part 25 replaces the Shipping (Nautical Publications) Regulations 1988.Authority for making Part 25 is found in section 36(1)(b) and (t) of the Maritime Transport Act 1994.

Extent of Consultation

On 20 May 2000, 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 25. A notice was also published in the *New Zealand Gazette* on 18 May 2000. Copies of the draft Part 25 and the invitation to comment were then sent to interested parties. Comments on the Part were requested to be made by 20 July 2000.

Twelve submissions were received on Part 25. All submissions were considered and, where appropriate, the proposed rules were amended to take account of the comments made.

Commencement

Part 25 as amended was referred to and signed by the Minister of Transport.

Part 25 will come into force on 1 February 2001.

Section 1 – General

25.1 Entry into Force

Part 25 comes into force on 1 February 2001.

25.2 Definitions

In Part 25 –

"Coastal area" means within the coastal limits defined in Part 20:

"Director" means the Director of Maritime Safety as defined in the Maritime Transport Act 1994:

"Enclosed area" means within the enclosed limits defined in Part 20:

"Fishing vessel" means a vessel that is required to be registered under section 57 of the Fisheries Act 1983 or section 103 of the Fisheries Act 1996:

"Foreign ship" means any ship that is not a New Zealand ship:

"Inshore area" means within the inshore limits defined in Part 20:

"Length" means length overall, as defined in Part 40A:

"Nautical chart" means a special-purpose map, or a specially compiled database from which such a map is derived, that is issued officially by, or on the authority of, the relevant government institution and is designed to meet the requirements of marine navigation:

"Nautical publication" means a special-purpose book, or a specially compiled database from which such a book is derived, that is issued officially by, or on the authority of, the relevant government institution and is designed to meet the requirements of marine navigation:

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

"Offshore area" means within the offshore limits defined in Part 20:

"Pleasure craft" means a vessel that is used exclusively for the owner's pleasure or as the owner's residence, and is not offered or used for hire or reward; but does not include –

(a) a vessel that is provided for transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment or business:

(b) a vessel that is used on any voyage for pleasure if it is normally used or intended to be normally used as a fishing vessel or for the carriage of passengers or cargo for hire or reward:

(c) a vessel that is operated or provided by any club, incorporated society, trust, or business:

"Relevant government institution" means –

(a) Land Information New Zealand as the National Hydrographic Authority for New Zealand; or

(b) the United Kingdom Hydrographic Office; or

(c) the Australian Hydrographic Office; or

(d) any other national hydrographic authority that complies with the principles and standards of the International Hydrographic Organisation and which is considered equivalent to Land Information New Zealand by the Director:

"Sailing directions" means pilot books:

"Ship" means every description of water craft, as defined in the Maritime Transport Act 1994:

"Unlimited area" means outside the offshore limits defined in Part 20:

"Vessel" means ship:

"Warship" means a ship belonging to the armed forces of a State, as defined in the Maritime Transport Act 1994.

25.3 Application

(1) Except as provided in rule 25.3(2), Part 25 applies to –

(a) New Zealand ships; and

(b) foreign ships within New Zealand coastal limits; and

(c) publishers in New Zealand of nautical charts and chart corrections.

(2) Part 25 does not apply to–

(a) fishing vessels of less than six metres in length within two miles of the coast; or

(b) vessels of less than 12 metres in length within the enclosed area; or

(c) warships; or

(d) pleasure craft.

Section 2 – Area Requirements

25.4 Unlimited Area

The owner and the master of any vessel that operates in the unlimited area must ensure that the vessel carries –

(a) nautical charts; and

(b) the following nautical publications:

(i) tide tables:

(ii) lists of lights:

(iii) sailing directions:

(iv) notices to mariners:

(v) an astronomical almanac:

(vi) the International Code of Signals; and

(a) mathematical tables for the calculation of astronomical observations,

that comply with rules 25.7 and 25.8, as applicable.

25.5 Offshore and Coastal Areas

The owner and the master of any vessel that operates in the offshore or coastal areas must ensure that the vessel carries –

(a) nautical charts; and

(b) the following nautical publications:

(i) tide tables:

(ii) lists of lights:

(iii) if the vessel is a non-fishing vessel, sailing directions,

that comply with rules 25.7 and 25.8, as applicable.

25.6 Inshore and Enclosed Areas

(1) Except as provided in rule 25.6(2), the owner and the master of any vessel that operates in the inshore or enclosed areas must ensure that the vessel carries –

(a) nautical charts that comply with rule 25.7; and

(b) a nautical publication containing tide tables that complies with rule 25.8.

(2) If a nautical chart or tide tables are not published for the waters in which a vessel is operating, the owner and the master of the vessel must –

(a) ensure that the vessel carries the best alternative information available; and

(b) in the case of a nautical chart, advise the Director that no nautical chart is available for that operation.

Section 3 – Chart and Publication Requirements

25.7 Nautical Charts

(1) A nautical chart carried to meet the requirements of this Part must –

(a) be appropriate to the vessel's area of operations; and

(b) be of the largest scale available and suitable for the type of navigation it is being used for; and

(c) if it is an electronic chart –

(i) be part of an Electronic Chart Display and Information System that meets the requirements of *Performance Standards for Electronic Chart Display and Information Systems (ECDIS)* adopted by the International Maritime Organisation by Assembly Resolution A.817(19); and

(ii) have paper back-up nautical charts; and

(iii) be operated only by persons who have received training, that is acceptable to the Director, in the use of electronic charts.

(2) A nautical chart carried to meet the requirements of this Part must be –

(a) certified by the relevant government institution as corrected up to the time of supply to a chart retailer; and

(b) if purchased in New Zealand, certified by a chart retailer approved by Land Information New Zealand to undertake chart corrections, as corrected up to the time of supply; and

(c) maintained in a fully corrected condition.

(3) Land Information New Zealand must ensure that corrections to any nautical chart supplied by Land Information New Zealand to meet the requirements of this Part are made available at a frequency approved by the Director.

(4) The Director may approve the frequency of publication of corrections to nautical charts if the Director –

(a) consults with Land Information New Zealand; and

(b) is satisfied that the frequency meets the criterion for maritime safety at reasonable cost as that term is defined in section 5(2) of the Maritime Transport Act 1994.

25.8 Nautical Publications

A nautical publication carried to meet the requirements of this Part must –

(a) be appropriate to the vessel's area of operations; and

(b) incorporate all amendments made by the relevant government institution.