

# Maritime New Zealand Guidelines

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MARINE GUIDANCE NOTICE ISSUE 22 – MAY 2012

## Pilot qualifications

### This guidance notice is for:

- applicants for pilot licences
- port operators or employers of pilots, or those involved in or responsible for pilot training
- harbourmasters and those involved in the examination of candidates for pilot licences.

### Purpose

The purpose of this guidance notice is to clarify the current provisions of Maritime Rules Part 90 as they apply to the minimum qualifications required by applicants for pilot licences.

### Background

Rule 90.41(1)(b) requires applicants for a pilot licence to either:

- i) hold a Master of a Foreign Going Ship (Master Mariner) Certificate issued under Maritime Rules Part 32;
- ii) hold an equivalent certificate to that in (i) that is recognised or accepted by the Director of Maritime New Zealand (the Director) under the Maritime Transport Act (MTA); or
- iii) provide evidence of experience, qualifications and competencies equivalent to those in (i) or (ii) or otherwise relevant to pilotage, and acceptable to the Director.

The requirements of Rule 90.41(1)(b) reflect the need to establish minimum levels of training, knowledge and seagoing experience for pilots. As well as holding appropriate certification, applicants must also complete a comprehensive pilot training programme approved by the Director and pass an examination before they can attain a licence.

### Guidance

#### New Zealand certificates

The Master of a Foreign Going Ship (Master Mariner) Certificate issued in accordance with rule 32.19A equates to an STCW certificate complying with the requirements of Regulation II/2(1) and (2) of the STCW Convention (Master on seagoing ships of 3000 gross tonnage or more). Such a certificate satisfies the criteria of Rule 90.41(1)(b)(i).

#### Certificates issued by parties with a recognition undertaking

A master's certificate issued by another party to the STCW Convention (the Convention) certifying compliance with Regulation II/2(1) and (2) of the Convention, that has been recognised under section 41 of the MTA, and endorsed accordingly, will satisfy the criteria of Rule 90.41(1)(b)(ii).

#### Certificates issued by Parties without a recognition undertaking

A master's certificate issued by another party to the Convention certifying compliance with Regulation II/2(1) and (2), with which New Zealand *does not* have an undertaking in place for the purpose of recognising STCW certificates, *is not* able to be recognised under section 41. However, such a certificate *will be* considered acceptable to the Director for the purposes of Rule 90.41(1)(b)(iii), provided that it is issued by a state included on the IMO's "White List".

Such an acceptance by the Director for the purposes of a pilot licence does not confer any particular privileges other than confirmation that the requirements of Rule 90.41(1)(b)(iii) have been satisfied. It *is not* a recognition of a certificate under the relevant provisions of STCW and section 41 of the MTA, or an acceptance of a convention document under section 42 of the MTA.

Such an acceptance is subject to confirmation that the certificate has been issued in full compliance with the relevant requirements of STCW.

Where a certificate is able to be recognised under a recognition agreement, but a recognition has not been obtained, the criteria of Rule 90.41(1)(b)(iii) will also apply and the certificate can be accepted for the purposes of a pilot licence, again subject to the caveats above.

## **Validity of certificate**

In order to ensure that the experience, qualifications and competence of certificate holders remains relevant to safe operation, the Director will accept, for the purposes of Rule 90.41(1)(b), STCW certificates issued or revalidated up to 10 years prior to receipt by MNZ of the application for a pilot licence. Older certificates will be considered on a case by case basis.

The limit on the validity of the certificate does not apply in the case where an applicant is already the holder of a current pilot licence issued under Part 90. In the case of a person who already holds a valid licence for another pilotage area who is seeking an additional licence, or a person seeking to renew an existing licence under Rule 90.49 (providing it has not expired), an older STCW certificate may be accepted.

## **Other experience, qualifications and competencies**

MNZ is developing separate guidance on the acceptance of other experience, qualifications and competencies relevant to pilotage under rule 90.41(1)(b)(iii). This will include, but not be limited to, consideration of pilotage qualifications issued by other administrations.

## **Further information**

For further information, please contact Maritime New Zealand's Wellington office:

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