

# Applying for a safety case

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**This guideline provides information for owners of commercial operations when applying for a safety case**





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This document is uncontrolled if printed, please refer to the Maritime New Zealand website for the latest version.

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# 1. Overview

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## Applying for a safety case

This guideline is for owners of commercial operations who are applying for a safety case for operating novel craft such as (but not limited to) waka, powered canoes or kayaks, powered surf boards, personal water crafts (including jetskis), amphibious crafts, submersibles and reconfigurable barges.

A safety case explains how the novel craft and its operation are managed effectively. Its purpose is to ensure an acceptable level of safety is met for anyone involved in the operation and that steps are taken to protect the marine environment.

**This guideline will assist you in providing all necessary information and documentation to meet the requirements needed for your application to be successful.**

**To apply for a safety case, you (the owner) must complete and send us all of the following:**

- a safety case plan
- *safety case application form*
- *fit and proper person form*

### **Disclaimer:**

These guidelines provide information and explanations about the requirements set out in the maritime rules, but are not a substitute for the rules themselves, which are the law. These guidelines refer to provisions in the Maritime Rules Part 40G, Design, Construction and Equipment - Others. The Director of Maritime New Zealand (MNZ) will approve a safety case only when satisfied that all requirements have been met. In this guideline, any references to 'we' or MNZ relating to a decision impacting on the issue or renewal of any seafarer certificate are references to the Director or a person acting under the Director's delegated authority.

**[maritimenz.govt.nz/rules](https://maritimenz.govt.nz/rules)**

## 2. Safety case plan

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A safety case plan is something that you will need to develop which will contain information and documentation providing an overview of your operation and its safety, such as:

- the nature of your operation
- its vessels
- its crew
- its safety systems (safety procedures)
- its ongoing maintenance.

**Use the following sections and content to help you compile a complete safety case plan. Use the questions to help guide you on what needs to be in your plan.**

### 2.1 Operation name and applicant (owner) details

#### Operation name

Give the full name of the operation the safety case will apply to.

This should match the name on the official registers such as the New Zealand Companies Office register.

Some operations are known by a name that isn't the legal name. This may be the 'trading as' name. You can include this as well.

#### Applicant (owner) contact details

Give the details of the safety case applicant (operation's owner).

Include the following details.

- Name
- Contact address – this may be a PO Box number or street address
- Address for service – this must be a physical address that people can visit or information can be delivered to
- Email address
- Contact numbers – include day time, after hours, mobile and fax (if applicable)

## 2. Safety case plan (continued)

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### 2.2 Overview of the operation

Provide an overview of what your operation does, what vessels are involved and where it operates from. The following questions will guide you.

#### The operation

What is the nature of the operation (for example, providing jet skis for hire)?

How many vessels are involved in the operation?

#### Area of operation

What is the intended area(s) of the operation? Include charts with the area(s) marked on them.

What facilities are in place for embarkation and disembarkation?

What are the search and rescue facilities in the intended area of operation?

Who will be your shore based contact?

How will you and your craft communicate with the shore-based person?

Are there any local harbour rules or regional council by-laws that apply to your operation?

#### Crew

How will you crew the operation?

What crew qualifications are required?

What are the training requirements for the crew? Include requirements appropriate to the nature of the novel craft, its operation, cargoes to be carried and any specific hazards identified in the safety case.

#### Passengers

Will you be carrying passengers? If so, how many and how will they be accommodated?

What safety procedures do you have in place for passengers?

What safety information will you be providing for passengers?

#### Cargo

Does your operation carry cargo? If so, what is the nature of the cargo to be carried and how will it be handled?

If you carry dangerous goods, what precautions will you take?

## 2. Safety case plan (continued)

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### 2.3 Safety management system

The owner must develop, implement and maintain a safety management system for the operation of vessels as set out in Appendix 2 of Maritime Rules Part 40G. The following questions will guide you through these requirements.

#### Safety policy

How will you operate your novel craft to ensure safety on the water?

What steps will you take to prevent human injury or loss of life?

What steps will you take to avoid damage to the novel craft and the environment?

#### Safe operating procedures

What instructions and procedures do you have in place to ensure the safe operation of the novel craft?

How often are these procedures reviewed?

How do you notify personnel of any changes in the operation they need to know about?

What means of egress, escape routes and embarkation positions do you have?

What are the responsibilities of the crew in respect of assembling passengers and crew in an emergency, launching life saving appliances and abandoning ship?

What steps do you take to make sure the novel craft complies with the relevant New Zealand legislation? For example, operating the craft within its operating limits, the number of people on board the craft and survey requirements.

#### Responsibility and authority

There will be staff on board (and ashore) that manage, perform and verify work that affects safety. Who is the person responsible for these staff?

Who is responsible for communicating operational and safety procedures with staff?

Who has responsibility for monitoring the safety of the operation?

Who has responsibility for ensuring adequate resources and shore-based support are available?

## 2. Safety case plan (continued)

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### 2.3 Safety management system (continued)

#### Emergency procedures and drills

What procedures do you have in place for the following emergencies?

- fire
- pollution
- person overboard
- medical emergency
- incident involving dangerous goods, as applicable
- mechanical failure, including loss of propulsion or steering
- stricken vessel, including due to grounding, collision, capsize or sinking
- others that may apply specifically to your novel craft

What drills and exercises do you do to prepare the crew for emergencies?

How often are these drills carried out?

Who is involved in the drills?

#### Managing accidents, incidents and near misses

If an accident happens, what steps do you take to report it to Maritime New Zealand?

How do you investigate the accident?

How do you apply the lessons learned?

What steps do you take when an incident or near miss occurs?

#### Vessel maintenance

What procedures do you have in place to ensure that the vessel(s) in your operation is/are maintained?

Where do you keep any maintenance related documents (eg safety certificates)?

#### Document control

How do you make sure that there is one up-to-date and central copy of your safety case and procedures?

How do you make sure that people are using the latest version of the procedures?

How do you update personnel on any changes to the operating procedures?

#### Internal audit

How do you review the safety management system? How often do you do this?

How do you verify whether safety prevention activities comply with the safety management system?

## 2. Safety case plan (continued)

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### 2.3 Safety management system (continued)

#### Other safety procedures

From time to time, the Director of Maritime New Zealand may request specific safety procedures relating to your novel craft.

There are additional particulars for submersibles and wing-in-ground craft.

#### Additional particulars for submersibles

1. life support systems and equipment for normal and emergency conditions
2. means of thermal protection, if necessary
3. arrangements for blowing ballast
4. stability and trim whilst ascending, descending, submerged on the surface
5. means of emergency surfacing
6. procedures for emergency situations
7. operational mission including time and depth capabilities
8. geographical dive site limitations
9. launch and recovery operation procedures
10. arrangements for liaison with support ships
11. procedures for emergency drills
12. pilot certification and crew training

#### Additional particulars for wing-in-ground craft

The safety case for WIG craft must include the appropriate particulars given in Part B of the International Maritime Organisation's circular MSC/Circ. 1054 entitled *Interim Guidelines for Wing-in-ground (WIG) Craft*. Refer to the IMO website:

[www.imo.org](http://www.imo.org)

### 2.4 Hazard identification and control

You are responsible for safety for all aspects of your operation. Hazard identification and control of these hazards is a critical component of your safety case.

Consider the following questions as a starting point.

- Who in your operation is responsible for hazard identification?
- What happens when a hazard is identified?
- Where are the hazards recorded (eg logbook, hazards register)?
- How do you apply lessons learned from hazard identification to your internal procedures?

You may choose to include a copy of your hazard register (one that lists known hazards and steps taken to eliminate, isolate or minimise).

## 2. Safety case plan (continued)

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### 2.5 Vessel details

Provide the following details for each of your vessels:

- Type of vessel and make (eg ULTRA 310LX jet ski, Kawasaki )
- Length overall (LOA) of vessel
- Engine power and type (eg 10HP Evinrude E10R4AA)
- MNZ Number
- Copy of certificate of fitness

You may like to include photos of your vessel(s).

### 2.6 Vessel maintenance and survey

#### Maintenance

You need to have a maintenance plan in place for each vessel in your operation.

Consider the following questions when putting your safety case together.

- What items need to be checked and maintained on a monthly or annual basis?
- Who will check these?
- How will you know the check has been carried out and by whom?
- What happens if further action is required? How will you know that that action has been completed?

You may choose to include a copy of your maintenance record for the past 12 months, or if you are a new operation, a copy of the form you will use to record maintenance information.

#### Survey requirements

The certificate of fitness indicates that your vessel meets the survey requirements outlined in Maritime Rules Part 40G. You need to attach a copy of this to your safety case.

The certificate of fitness requires the surveyor to conduct a survey of the ship and its equipment to determine if they are fit for their intended operation and comply with all the relevant provisions of the ship's proposed safety case. If the ship undergoes major alteration or repair, the certificate of fitness is no longer valid.

Your safety case should satisfy MNZ that your novel craft is as safe as a conventional craft.

#### Annual survey

The ship and its equipment must undergo an annual survey.

The annual survey must be carried out by a surveyor within three months before or after each anniversary date of the issue of the certificate of fitness. If the annual survey is unsatisfactory, the certificate of fitness is no longer valid.

## 3. When and how to apply

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Apply when you have completed all of the requirements. Once we have received all of the information we need from you, it may take us up to 20 working days to process your application, so send it in as soon as possible (and at least one month before you need your certificate).

Make sure you include all of the documents we have asked for. Refer to 3.3 *Checklist* to make sure you have everything you need for your application.

### **Note:**

If your application is incomplete, it will not be processed and we will return your application and other documents to you.

### 3.1 Copies of supporting documents

We only need a copy of your certificate of fitness, not the original version.

You must provide certified copies of the supporting documents for the *fit and proper person form* (your passport or driver's licence and birth certificate).

### 3.2 Fees and payment options

There is a fee for your application. The fee is based on hourly rate of NZ\$218.00, which includes goods and services tax (GST).

You need to include payment by cheque or indicate your other chosen payment method on the *safety case application form*.

You can pay:

- online using a credit card or debit card, *or*
- by internet banking or bank deposit, *or*  
by cheque (which you include with your application).

Refer to the MNZ website for more information about how to pay your fees:

**[maritimenz.govt.nz/howtopay](https://maritimenz.govt.nz/howtopay)**

### 3. When and how to apply (continued)

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#### 3.3 Checklist

Use this checklist to make sure that you have everything you need for your application.

**Check that your documents are complete and have been signed, dated and certified as required.**

- Safety case application form*
- Safety case plan*
- Copy of the ship's current certificate of fitness*
- Fit and proper person form*
- Police clearance for other countries (if applicable)*

#### **Remember**

- Either include a cheque (in NZ\$) or indicate which other payment option you'd like to use
- Send your application to us by courier or email
- Send your application to us as early as you can

### 3. When and how to apply (continued)

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#### 3.5 Where to send your application

Send your completed form and the other required documents to Maritime New Zealand by email, courier or post.

Sending your application by email is preferred. Remember to sign your *Safety case application* and *Fit and proper person* forms, before scanning and attaching them to an email along with your other documents. Make sure the scanned copies of your documents are legible and of a good quality. Remember also to include any extra pages you have used for your application.

##### **Email your application to:**

operators@maritimenz.govt.nz

##### **Courier your application to:**

Operator Certification  
Maritime New Zealand  
1 Grey Street  
Wellington  
NEW ZEALAND

##### **Post your application to:**

Operator Certification  
Maritime New Zealand  
PO Box 25620  
Wellington 6146  
NEW ZEALAND

## 4. Contact us for help

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If you need more information about the requirements for your application, talk to one of our maritime officers at one of our local offices:

**[maritimenz.govt.nz/contact-us](https://maritimenz.govt.nz/contact-us)**

If you can't find the information you need, send us an email:

[operators@maritimenz.govt.nz](mailto:operators@maritimenz.govt.nz)

Tell us what you need help with and remember to include your contact details (email address and phone numbers).

## 5. Forms

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To apply for a safety case, there are several forms that you must provide and some that you may provide, depending on your situation.

Everyone applying for a safety case must complete and send us all of the following forms:

- *Safety case application form*
- *Fit and proper person form.*

**Each of these forms is available on the MNZ website:**

**[maritimenz.govt.nz](http://maritimenz.govt.nz)**

**Note:**

You must complete these forms correctly for your application to be valid. Carefully read any notes before you start.