Nō te rere moana Aotearoa
MARITIME NEW ZEALAND

Invitation to Comment

Regulatory Amendments Package 3 (RAP 3)

Proposed Maritime and Marine Protection Rules

9 April 2026

Contents

Overview – Regulatory Amendments Package 3 (RAP 3)

Maritime New Zealand (Maritime NZ) invites you to comment on proposed amendments to Maritime Rules and Marine Protection Rules (the rules).

This invitation to comment is issued to fulfil consultation requirements under the Maritime Transport Act 1994 (the MTA). After consultation closes, we will review all submissions received, make any changes, and finalise the proposed amendments. Subject to agreement by the Associate Minister of Transport, we bring any rules into force in September 2026. Note that the rules relating to the Skipper Two Nautical Miles (S2NM) certificate will come into force in August 2026.

Alongside the proposed rule changes, we are seeking feedback on in-principle changes to SeaCert. These proposed changes explore moving the application of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) and the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F) to begin at 200NM. The proposed changes also explore establishing specific pathways between STCW and STCW-F. These changes are part of planned future work and will not come into force in with the other proposals. We are seeking feedback on the impacts of allowing specific transitions between STCW and STCW-F. Your feedback will help shape this work.

Regulatory Amendment Packages allow for regular improvement of the rules

Maritime NZ undertakes Regulatory Amendment Packages (RAPs) projects to ensure regulatory requirements are fit for purpose, risk-responsive, remove barriers, enable innovation and support outcomes. These projects closely reflect our regulatory approach with a focus on harm prevention.

Our RAP work is evidence-based and driven by our harm prevention priorities. It reflects engagement with the maritime sector. It responds to business as usual needs and other priorities, such as ensuring New Zealand is meeting and effectively implementing its international commitments.

Background to RAP 3

RAP 3 contains a broad range of topics. The topics were chosen based on Maritime Rules and Marine Protection Rules (the Rules) that need updating and from feedback from the Maritime Sector.

Topics in RAP 3 fall into four categories:

- Section A: In-principle changes to SeaCert
- Section B: Proposed SeaCert Changes
- Section C: Changes to Marine Protection Rules
- Section D: International Amendments and Miscellaneous Amendments

Note, RAP 2.1 has been renamed as RAP 3.

Topics covered in this RAP

Table 1: Summary of proposed rules changes, who or what will be affected, and where to find more information about the proposal in this document.

Topic	Proposal summary	Who or what will be affected by the proposal	Find more information about this proposal in this document (click on the blue hyperlink to go to the section)
Section A: In-principle changes to SeaCert.			
Exploring moving the application of STCW and STCW-F to begin at 200NM.	This topic explores ways for creating new national certificates for near coastal/limited waters (12-200NM) in the future.	Maritime schools, seafarers, operators.	Section 1
Exploring ways to recognise STCW-F sea service.	This topic explores ways to recognise sea service by creating specific pathways between STCW-F and STCW.	Maritime schools, seafarers, operators.	Section 2
Section B: Proposed SeaCert changes.			
Skipper Two Nautical Miles (S2NM) certificate: improving implementation and confirming policy intent.	We are proposing to make small changes to the Rules relating to the S2NM certificate so that it will be more compatible with Maritime NZ systems and reduce ambiguity.	Seafarers.	Section 3
Section C: Changes to Marine Protection Rules.			
Ship fuel changeover: introducing requirements based on best practice, for foreign ships that change between fuel types when entering	We are proposing a national requirement to regulate ship fuel changeover and mitigate the associated risks. We are also seeking the sector's input on the uptake of scrubbers. The Director of Maritime NZ is consulting on a draft Marine	Harbourmasters and regional councils. All foreign ships in NZ's territorial sea	Section 4

Topic	Proposal summary	Who or what will be affected by the proposal	Find more information about this proposal in this document (click on the blue hyperlink to go to the section)
and operating in NZ's territorial sea.	Protection Transport Instrument (MPTI).	that intend to change between fuel types.	
Review of ship carbon intensity (CI) requirements: changes to CI requirements for domestic voyaging ships.	The proposal implements the Government's decision to use the New Zealand Emissions Trading Scheme (NZ ETS) as New Zealand's primary mechanism to meet domestic ship obligations under MARPOL Annex VI (Prevention of Air Pollution from Ships). Maritime NZ is interested to hear stakeholder's views on having the option to comply with MARPOL CI requirements in the Rules (should they wish to do so).	Domestic voyaging ships 400GT and over, which will span all parts of the sector including fishing RO Surveyors	Section 5
Section D: International amendments and miscellaneous rule amendments.			
International amendments: Implementing mandatory International Maritime Organization (IMO) obligations – Maritime and Marine Protection Rules.	Proposals cover amendments to Rule Part 121A, and material incorporated by reference in rules that will be updated by Gazette notification.	New Zealand and foreign-flagged International Convention for the Safety of Life at Sea (SOLAS) vessels operating in New Zealand waters. Recognised surveyors	Section 6

Topic	**Proposal summary**	**Who or what will be affected by the proposal**	**Find more information about this proposal in this document** (click on the blue hyperlink to go to the section)
Miscellaneous 'fixes': Minor updates to address simple errors and formatting.	Changes to Maritime and Marine Protection Rules Parts 20, 32, 40D, 80, 90, 103, and Part 199.	Part 199 change will affect domestic voyaging ships with engines 130kW and over, and those that also travel outside of NZ's waters (beyond 200NM).	Section 7

Purpose and objectives of this consultation

Proposed Rule changes

Maritime NZ is seeking your comment on a package of proposed changes to Maritime Rule Parts 20, 31, 32, 40D, 80 and 90, and Marine Protection Rule Parts 103. 199, and 121A.

These proposals will support maritime sustainability objectives by making changes that help to promote the ongoing social, cultural, environmental and economic resilience and performance of the maritime sector.

The Associate Minister for Transport is consulting on enabling transport instruments. Transport instruments are a form of secondary legislation and are considered appropriate for content that is detailed, technical, or likely to change periodically, such as prescriptive standards. This consultation contains one proposed marine protection transport instrument that the Director of Maritime NZ is consulting on.

This ITC fulfils formal consultation requirements under the MTA.

Subject to analysis of submissions received through this consultation, and to ministerial agreement to the changes, we anticipate that the rules will be finalised in the second quarter of the 2026 calendar year with changes coming into force in September 2026 with the exception of the Rules relating to the S2NM certificate, which will come into force in August 2026. .

Seeking feedback on proposed changes to SeaCert

We are seeking feedback on proposed in-principle changes to SeaCert. Your input will help shape the direction of work in this area. These proposed changes are at an early stage and, as yet, there is no set date for when they would become legislation. We seek your feedback about creating specific pathways from STCW to STCW-F and how those pathways could work under NZ's current framework.

How to have your say

Consultation is from 9 April to 15 May 2026. Information on this consultation is available through Facebook, on our website (www.maritimenz.govt.nz), and through our SeaChange newsletter available on our website

Subject to interest, we may offer online information sessions about the proposals during the consultation period. Please contact us at our email address below if you would like us to organise a session.

There are guiding questions throughout this document to help you focus your feedback. In addition, you may also wish to comment on:

- what you think the impacts of the proposed amendments are likely to be on industry, operations and maritime safety, and
- whether the proposed amendments are accurate, free of error, and as clear and understandable as possible.

The deadline for submissions is **5pm, Friday 15 May**.

To comment on the proposals in this document, please:

- email us directly at consultations@maritimenz.govt.nz, or
- complete and email us the submission form which is available on our consultation page here, or
- post the submission form to:

  Regulatory Policy Design Team

  Maritime New Zealand

  PO Box 25620

  Wellington 6140.

Submissions are public information

Please let us know if your comments are commercially sensitive or there is another reason you consider they should not be disclosed.

If your submission is subject to an Official Information Act 1982 (OIA) request, we will consider your confidentiality request in accordance with the grounds for withholding information set out in the OIA.

In addition, if you are an individual (that is, your comments are made personally and not on behalf of a company or an organisation), please let us know if you have reasons that your identity should not be disclosed.

We will acknowledge all submissions that we receive. Once the changes are finalised, we will publish a summary of submissions on our website.

Regulatory impact statement

This ITC has information about the potential impacts of proposed changes to Maritime and Marine Protection Rules. As it covers the substantive elements of a regulatory impact assessment, there is no separate regulatory impact assessment. Analysis tables for each proposal can be found in **Appendix 1.**

The proposed amendments impose limited or no costs on stakeholders.

Legal authority for the Rules and transport Instruments

The authority for making these amendments to Maritime Rules Parts 20, 31, 32, 40D, 80, and 90 is found in section 36(1) of the MTA. The authority for making these amendments to Marine Protection Rules Parts 103, 199, and 121A is found in sections 386, 387, and 388 of the MTA.

The authority for making transport instruments is found in sections 452A and 452B of the MTA.

Maritime Rules, Marine Protection Rules, and transport instruments are secondary legislation under the Legislation Act 2019. Under that Act, the Rules are required to be presented to the House of Representatives which may, by resolution, disallow any secondary legislation. The Regulations Review Committee is the select committee responsible for considering rules and transport instruments under that Act.

In this ITC, the Associate Minister of Transport is consulting on rules pursuant to section 446 of the MTA. The Director is consulting on the marine protection transport instrument pursuant to section 452C of the MTA.

Next steps

Once consultation has closed, we will analyse the submissions and consider whether to recommend changes to the proposals.

The Associate Minister of Transport will then consider the recommendations and decide whether any proposals will be progressed into finalised rules.

Implementation of amended rules

After the Associate Minister of Transport has agreed to and signed the amended rules, we will communicate the changes to stakeholders.

We will provide guidance on the amended rules and update our website. We expect that any amendments to the rules will be brought into force in September 2026 with the exception of the rules relating to the S2NM certificate which will come into force in August 2026.

Section A: In-principle changes to SeaCert

We seek your feedback about proposed in-principle changes to the way we approach certification

These 'in-principle' proposed changes do not have rule changes proposed in the short term. We are testing our proposed approach, which will inform how we proceed. Your feedback and further engagement will help shape this work.

These in-principle changes are:

- to revise or create new national certificates for near coastal/limited waters (~12-200NM), and
- to recognise sea service by creating new pathways between STCW-F and STCW.

Flexibility is needed to help solve challenges in the maritime workforce

The maritime workforce is facing shortages in New Zealand and across the world. The causes for the shortage include an ageing workforce, low numbers of new seafarers entering the industry, international trends towards larger vessels, and supply chain disruptions from the Covid-19 pandemic.

There is high demand for trained seafarers in New Zealand and we are competing internationally for skilled workers. New Zealand's maritime workforce serves a critical function in enabling the movement of goods, services and people as well as in food production domestically and for export. Sufficient numbers of adequately trained seafarers across a range of diverse roles, particularly officers and masters, are essential for the safe operation of our domestic maritime fleet.

Maritime NZ has heard from the sector that greater flexibility for seafarers is a key part of solving the problem. These proposals aim to create more flexibility.

New Zealand has flexibility in how we implement international conventions

New Zealand is a signatory to STCW[1] and STCW-F, conventions which establish international standards of training, certification and watchkeeping for seafarers including those on fishing and merchant vessels. We have flexibility in how we implement these conventions, and we plan to use this in implementing these changes.

[1] As amended in 1995 and 2010.

1. Changing the operational limit at which STCW and STCW-F apply to the unlimited area (>200nm) only

Overview

1.1 Maritime NZ is proposing to use the flexibility provisions in STCW and STCW-F to revise or create new national certificates with privileges within Coastal and Offshore operating limits, which map approximately to ~12 to 200NM from shore. This work will be progressed as part of reforms to the '30 series' Rules.

The current situation

1.2 STCW and STCW-F set a global standard for training, certification and watchkeeping by determining the required prerequisites, competencies and sea service for different seafaring roles.

1.3 STCW and STCW-F do not apply in all waters. The following key provisions determine where they apply:

- STCW applies to seafarers serving on 'seagoing' ships (with some exclusions) while STCW-F applies to seafarers on 'seagoing' fishing vessels.
- Seagoing ship is defined in STCW as 'a ship other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply'. STCW-F has an equivalent provision.
- Specific regulations apply to 'near coastal' (STCW) or 'limited waters' (STCW-F) which are closer to shore.

Current rules

1.4 New Zealand gives effect to the Conventions in our domestic context through Part 20: Operating limits, Part 31: Crewing and watchkeeping and Part 32: Seafarer certification.

1.5 STCW applies to seafarers on passenger and non-passenger vessels operating beyond restricted limits. STCW-F applies to fishing vessels operating beyond inshore fishing limits.

Near Coastal and Limited Waters

1.6 New Zealand has applied key provisions of the conventions in specific ways:

- We apply the **near-coastal provisions of STCW** to the combined area of our coastal and offshore limits (excluding restricted limits; and

- We apply the **limited waters provisions of STCW-F** to the combined area of the coastal and offshore limits (excluding inshore fishing limits).[2]

1.7 To work within these coastal and offshore operating limits which extend to 200NM, in many cases the SeaCert framework requires a seafarer to have standard STCW or STCW-F certification. This is particularly the case for deck department roles such as Master where a vessel is greater than 24m in length.[3] The framework also provides for some 'national' certificates, such as the Skipper Coastal Offshore and engineering certificates with privileges that extend to 200NM.

1.8 These 'national' certificates are still subject to STCW, but have been created using flexibility provisions. They differ from the certificates set out in the conventions therefore they are not standard STCW or STCW-F certificates.

The issue

1.9 New Zealand could apply STCW and STCW-F in a more flexible way.

1.10 Although more than 90% of New Zealand domestic vessels are less than 24m in length and operate exclusively within New Zealand waters, the current certification framework is heavily weighted towards STCW and STCW-F certificates.

1.11 This presents several barriers for maritime workers and operators:

- It is difficult for seafarers to move between roles in the sector, because the prerequisites, competencies and sea service for STCW and STCW-F certificates are prescriptive and sea service can be lengthy.
- Meeting these requirements can be costly for seafarers. It takes a lot of time and resource if they want to work on a different type of vessel than the one they originally trained. For example, seafarers may need to: take time off work to obtain new qualifications or obtain work on one of the small number of vessels that meet specific criteria to meet sea service requirements.
- These specific criteria result in a small number of seafarers holding key certificates, which means that operators can struggle to find crew with the qualifications or capabilities needed.

1.12 The ability of Maritime NZ to improve the system – for example, by changing certificate requirements or creating new certificates for New Zealand waters – is limited by the convention requirements.

1.13 The current approach also limits opportunities to better align with Australia. We understand that Australia, who is party only to STCW, defines its near

[2] Rule 32.13(5) and rule 32.2 (Definition of limited waters).
[3] For example, STCW navigational watchkeepers are specified in Table 5 Part 31 for a range of vessels operating beyond restricted limits but within coastal limits or offshore limits. Where a non-passenger vessel is less than 24m and less than 500GT within coastal and offshore limits the 'national' Skipper Coastal Offshore certificate is specified in Tables 12 and 13.

coastal area as extending to 200NM. In contrast to New Zealand, the Australian framework provides a suite of 'domestic' certificates with privileges in the near coastal area (and no standard STCW certificates in this area). These certificates can be used by 'Domestic Commercial Vessels' (including fishing vessels) which do not voyage beyond 200NM.

1.14 Limited numbers of Australian seafarers come to New Zealand, partly because we may not be able to fully recognise the privileges of Australian domestic near coastal certificates under the Trans-Tasman Mutual Recognition Act 1997 (TTRMA) and also because of greater opportunities in Australia's larger labour market. Other factors relate to training with some seafarers going to Australia to train and remaining there.

Proposal – changing the operational limit at which STCW and STCW-F apply to the unlimited area (>200nm) only

1.15 The conventions provide some flexibility to determine different training and certification settings within near coastal and limited waters.

1.16 These flexibility provisions include exemptions, near-coastal descoping and equivalents as outlined in the following table:

Type of provision	Convention reference	Application
Equivalents	STCW Article IX	Generally applicable[4]
	STCW-F Regulation I/10	Generally applicable[5]
Exemptions	STCW Regulation II/3.7	Master and officer in charge of navigational watch on ships under 500GT engaged on near coastal voyages
	STCW-F Regulation I/2	Personnel serving on board a fishing vessel of less than 45m in length operating exclusively from our ports and fishing within our limited waters.
Principles governing near coastal voyages	STCW section A-I/3 STCW code	Master and deck, and engineering department
Near coastal descoping	STCW Section A-II/1.7	Officers in charge of navigational watch on ships 500GT or more
	STCW Section A-II/2.8	Masters and chief mates on ships of 500 gross tonnage or more
	Section A-III/1.10, A-III/2.8, A-III/3.8	Engineering department (<3000 kW, limited propulsion >3000 kW
Limited waters	STCW-F Reg II-5-2 (new)	Engineer OOW in limited waters

[4] As stated in STCW Article IX other educational or training arrangements may be adopted provided the "level of seagoing service, knowledge and efficiency as regards navigational and technical handling of the ship and cargo ensures a degree of safety at sea and has a preventative effect as regards pollution at least equivalent to the requirements of the convention."
[5] As above

1. Changing the operational limit at which the STCW and STCW- F conventions apply to the unlimited area (>200nm) only

1.17 Each flexibility provision sets out what may be varied, exempted from or omitted and in what circumstances.

1.18 Maritime NZ is proposing, in principle, to use these provisions to revise or create new national certificates. The certificates would have privileges within Coastal and Offshore operating limits, which map approximately to ~12 to 200NM from shore. Amendments would be required to crewing and watchkeeping requirements in Maritime Rule Part 31 and seafarer certification in Maritime Rule Part 32.

1.19 More broadly, Maritime NZ has started analysis for reforming the '30 series' rules. Revising and creating new national certificates would be progressed as part of this longer-term work.

What does this mean for you?

1.20 New and revised certificate options introduced in the future as part of the '30 series' reforms have the potential to reduce time and costs for seafarers and operators and help address workforce shortages through improved certification pathways.

1.21 In-principle, using the flexibility provisions to create new or revised certificates also provides an opportunity to improve alignment with domestic certificates offered in the Australian framework. This could allow for more workforce movement between New Zealand and Australia's maritime sectors and for our training and certification systems to be better aligned.[6]

1.22 There are no immediate changes to the Maritime Rules or practice planned. These means there are no immediate changes to safety and competency requirements. Standards of safety and competency will need to be considered when certificates are revised or created.

1.23 While there will be no immediate impacts on seafarers, operators and maritime schools until changes are made, progressing with the proposal would indicate support from the sector for the approach and lay a key foundation for reforming of the '30 series' rules. If the certification system changes significantly then qualifications and the training that maritime schools provide will need to be amended. This would be a significant change for students and training providers.

[6] Noting that Australia's certification system was developed in a different context and legislative framework. Australia is not a party to STCW-F.

1. Changing the operational limit at which the STCW and STCW- F conventions apply to the unlimited area (>200nm) only

Questions on the proposal

Q1.1	Do you agree with Maritime NZ's proposal to use STCW and STCW-F flexibility provisions to revise or create new national certificates with privileges within Coastal and Offshore operating limits (~12 to 200NM)?
Q1.2	Are there specific costs, benefits, or other impacts that you would like to let us know about?

2. The recognition of STCW-F sea service

Overview

2.1 We are proposing in principle to create pathways for STCW-F sea service to be recognised for specific STCW certificates. This aims to improve recognition of sea service and enable flexibility for seafarers. It would be a short- to medium- term interim measure until the '30 series' reform are completed.

Background

2.2 SeaCert implements the STCW and STCW-F conventions and provides for certificates that correspond to those in STCW and STCW-F. Maritime Rules Part 20 defines operating limits (including restricted, coastal and offshore limits) for the purpose of all maritime rules, including seafarer certification.

The current situation

2.3 Seafarers who apply for a certificate of competence must meet several requirements[7] including having approved sea service. Maritime Rule Part 32 sets sea service requirements under rules 32.173 to 32.185[8]. Rule 32.174 provides criteria for the approval of sea service.

2.4 There is some discretion for approving sea service and it should be fact-specific. The rules provide for some consideration of training or equivalent options for sea service in full or part.

The issue

2.5 The maritime sector has highlighted the current lack of flexibility in getting fishing sea service recognised. This is a contributing factor to domestic shortages in the maritime workforce. Creating specific pathways from STCW-F to STCW certificates is one lever New Zealand can use to address maritime workforce challenges.

2.6 Currently, the only way to move from STCW-F to STCW certificates is on a case-by-case basis. Seafarers may be required to do further training, and there would not necessarily be a precedent for any one situation.

2.7 The status quo limits the ability of seafarers to move sectors in their career between STCW-F and STCW. Seafarers who move from STCW-F to STCW will likely need further training (even with the recognition of prior learning) and gain further sea service. It can be hard to get STCW-F sea service recognised

[7] These include fit and proper person and medical requirements, prior certification, meeting relevant competencies, completing relevant training, holding specific ancillary certificates, and passing an examination.
[8] These rules relate to requirements for attaining sea service certificates.

for STCW certificates because of requirements for prior certification, training and sea service in the required capacity. Without established pathways, there will be time and cost impacts for seafarers and operators.

Proposal – Establish future pathways from STCW-F to STCW

2.8 This proposal aims to improve recognition of sea service through developing new pathways for STCW-F seafarers to move to STCW. Maritime NZ considers that there are three viable pathways between the STCW-F and STCW certificates:

- a pathway for Mate Fishing Vessel – Limited to Watchkeeper Deck <500GT NC pathways,
- a pathway for the Skipper Fishing Vessel Limited (SFV-L) to Master <500GT NC, and
- a pathway for the Skipper Fishing Vessel Unlimited (SFV-UL) to Watchkeeper Deck.

2.9 Maritime NZ considers there is a transition pathway from Mate FV limited to Watchkeeper Deck <500GT NC Limited and vice versa. Seafarers would need to complete the relevant ancillary courses, gain extra sea service, and bridge the training gap between certificates.

2.10 Maritime NZ considers there is a transition pathway from SFV (Limited) to Master<500GT NC) provided that:

- ancillary courses are completed
- Provide at least 2-3 months relevant sea service on ships >24m or >80GT operating beyond the Restricted limits
- The differences in learning outcomes can be addressed.
- New STCW-F standards came into force on 1 January 2026. We need to consider how these will be addressed for existing certificate holders and how this compares to the learning outcomes of the fishing and non-fishing streams.

2.11 Considering SFV-UL moving to a Watchkeeper Deck certificate, Maritime NZ notes that there are gaps in ancillary certification, sea service, and the contents of the NZQA Qualifications. We consider that there is a pathway but this needs further development.

2.12 Seafarers who choose to use these pathways would need to undertake training and complete specified sea service to meet the competency requirements. STCW-F certificate holders would be able to move to specific STCW certificates with relevant additional training to fill gaps (including any necessary ancillary courses)[9], and sea service. These requirements recognise

[9] For example, a seafarer moving to the Watchkeeper Deck certificate would need to gain STCW Basic Training if they did not already have it.

that there are some differences between STCW and STCW-F certificates relating to cargo handling, stability and different legislation.[10]

2.13 We have examined the gaps between the certificates in STCW and STCW-F and identified where training or sea service will be required. We are interested in sector input on this assessment and also on what specific matters need addressing if these pathways are implemented. Requirements that require rule changes (for example, extra sea service for seafarers moving to STCW-F) will be part of future rules amendment projects.

2.14 A gap analysis and a summary of our proposals is attached in **Appendix 3**.

What does this mean for you?

2.15 There may be some impacts for seafarers depending on their current qualifications and experience. For example, if a STCW-F seafarer had a qualification which had significant crossover with a STCW qualification (that is, they had learned both strands) then they may just need to undertake relevant ancillary courses and gain some sea service. The extent of these impacts would be dependent on that crossover. There would be some cost and time impacts from extra training and experience for seafarers wanting to move from one sector to another. This would also depend on being able to access that training at a maritime school. Seafarers may still need to gain some sea service.

2.16 Similarly, dependent on the seafarer's experience and requirements there may be impacts for maritime schools. Schools may need to respond to extra training interest from seafarers for ancillary courses and other learning to fill knowledge gaps. These impacts will depend on the qualification held as some maritime qualifications have fishing and non-fishing strands and in some occasions students learn both. Further work needs to be done to understand the impact on training providers such as whether bridging courses would be necessary.

2.17 These impacts may be offset by the benefits for seafarers as they are more easily able to move regimes, operators who are able to gain access further labour, and increase flexibility for the maritime sector over time.

2.18 This option would be durable in the short- to medium- term and provide an appropriate interim measure until '30-series' reforms are completed. This reform work will examine core settings for seafarer certification and include matters such as sea service. It would provide flexibility while more extensive changes to '30 series' rules are being considered and developed. In the longer

[10] For example, cargo handling is not part of STCW-F training and competencies. Cargo-handling covers cargo securing, loading, and unloading on cargo ships. Similarly, stability is the knowledge, understanding, and practical skills seafarers must demonstrate to ensure a ship remains upright and stable such as when facing external forces like waves or changes in cargo. Finally, legislative requirements differ between Conventions and seafarers would need to develop knowledge of STCW related codes.

term, Maritime NZ notes that an international review of STCW at the IMO will likely change the convention.[11][12] Work on the IMO review is ongoing.

Questions on the proposal

2.19 This proposal is for discussion and input only. We are interested in hearing what these potential changes would mean for stakeholders. Those affected include seafarers, operators, and training providers (such as maritime schools).

Q2.1	Do you agree with Maritime NZ's proposals for developing pathways from STCW-F to STCW? Are there any specific points you want to add about any of the specific pathways in terms of the gaps identified or the proposals for change (**see Appendix 3**)?
Q2.2	If these pathways are established, are there any specific things that are required for implementation?
Q2.3	Are there specific costs, benefits, or other impacts that you would like to let us know about? This could be for training providers, seafarers, operators, the wider sector or government.

[11] Found online at: https://www.imo.org/en/mediacentre/pages/whatsnew-2037.aspx#:~:text=IMO%20lays%20groundwork%20for%20major,challenges%20in%20the%20maritime%20sector.
[12] Found online at: https://www.imo.org/en/mediacentre/meetingsummaries/pages/htw-10th-session.aspx.

Section B: Proposed SeaCert changes

We are proposing to clarify the Rules relating to the Skipper Two Nautical Miles (S2NM) certificate. The S2NM certificate was created in 2025 as an entry level certificate for low risk activities. While implementing the S2NM we realised there were two problems with the Rules. We are proposing changes to help the S2NM be more compatible with Maritime NZ systems and reduce ambiguity. The changes do not alter the S2NM certificate's intent.

Objectives and criteria used to assess the proposals

This work's objectives include:

- Maintaining alignment with our international obligations, and
- Maintaining seafarer competence and ensuring maritime safety.

The following criteria were developed to assess the proposed changes. The proposals should be:

- **Consistent** – the option is consistent with requirements under the Maritime Transport Act 1994 and maintains our compliance with international maritime conventions.
- **Effective** – the option achieves its goals and solves the identified problem.
- **Efficient** – the option minimises unintended consequences and undue costs.
- **Durable** – the option will be durable over time and will cater for changes in the maritime sector.

3. Skipper Two Nautical Miles Certificate: improving implementation and confirming policy intent

Overview

3.1 We are proposing to clarify the Rules relating to the Skipper Two Nautical Miles (S2NM) certificate. The changes will help the S2NM be more compatible with Maritime New Zealand systems and reduce ambiguity. The changes do not alter the intent of the S2NM certificate.

The current situation

3.2 In March 2025, the Maritime Rules Amendments 2025 were completed and made amendments relating to the non-commercial use of commercial vessels and SeaCert.

3.3 Under the SeaCert rule amendments, a new entry-level certificate was introduced – the S2NM certificate. The S2NM certificate provides for the holder to operate vessels up to six metres in length, within two nautical miles of shore within defined limits undertaking low-risk activities, where current skipper certificates are not a good fit.

3.4 The S2NM certificate came into force on 1 September 2025 and will be implemented by the middle of 2026.

Current rules

3.5 The current rules for the S2NM certificate are set out in Maritime Rule Parts 31 and 32. Part 31 sets crewing requirements for inshore limits, enclosed water limits, and inshore fishing limits for the S2NM certificate.

3.6 Part 32 sets requirements to gain a S2NM certificate under rule 32.41A and Table 2A Table of requirements for S2NM.

3.7 The privileges for a S2NM certificate are set out under rule 32.41B and define where, how, and when the certificate can be used. S2NM certificate holders can perform the functions and duties of a master on a non-passenger ship or a fishing vessel or a fishing ship, of less than six metres in length, within two nautical miles of the shoreline:

- carrying six persons or fewer, during daylight hours, or
- carrying no other persons, during any hours.

The issue

3.8 During the implementation of the S2NM certificate we identified two issues. These relate to the:

- term ‘self-declared’ in the sea service requirements for the S2NM certificate, and
- current privileges for the S2NM certificate.

3.9 We will address these issues as part of RAP 3.

Issue one – ‘self-declared’ sea service

3.10 Requirements for the S2NM certificate are set out under Maritime Rules Part 32.41A and 32.41B and sea service is in row 5 of ‘Table 2A Table of requirements for S2NM’. The table states the required sea service is:

> ‘100 hours of self-declared sea service on any vessel or have equivalent experience operating a vessel.’

3.11 During implementation, Maritime NZ identified that the use of the term “self-declared” sea service does not align with our approach to the application and the renewal of sea service.

Issue two – confirm the operational limits of the Skipper Two Nautical Miles certificate

3.12 The policy intent of the S2NM certificate was to allow the holder to operate small vessels close to shore (within two nautical miles of shore within defined limits) on low-risk activities. The certificate is a ‘national certificate’ not a STCW or STCW-F one.

3.13 There are mismatches between different parts of the Rules that need to be fixed to reflect the certificate’s original policy intent. Part 31 sets crewing requirements for inshore limits, enclosed water limits, and inshore fishing limits for the S2NM certificate. However, we noted that there are no matching limits requirements in Part 32. This means that a S2NM certificate holder could move into areas that are subject to STCW or STCW-F. This would be a contravention of the STCW convention and was an oversight that does not meet the certificate’s original policy intent.

Proposal – clarifying the Rules relating to the S2NM certificate.

3.14 To address the two issues above we are proposing that:

- the term ‘self-declared’ is removed from row 5 of ‘Table 2A Table of requirements for S2NM; and
- the privileges of the S2NM certificate are amended so that:
  - a master of a non-passenger ship must operate within two nautical miles of the shoreline **within restricted limits**; and
  - a master of a fishing vessel or a fishing ship must operate within two nautical miles of the shoreline **within enclosed, inshore, and inshore fishing limits**.

3.15 Maritime NZ considers that these proposed rule amendments confirm and fit within the policy intent for the S2NM certificate and fit with the original crewing requirements in Part 31.

3.16 We are proposing that these changes have an earlier into force date than the other rules changes in this ITC. They will come into force in August 2026.

Assessment of proposal

3.17 Maritime NZ considers that the proposal ensures consistency with the MTA and conventions to which New Zealand is a party (STCW and STCW-F). Through clearly defining the S2NM certificate's privileges and confirming where certificate holders may appropriately operate, New Zealand will not breach STCW or STCW-F.

3.18 The proposal is effective and will address the identified issues with sea service and the operational limits of the certificate (as above). It maintains the certificate's intent while meeting the goals of maintaining our international obligations, maintaining competence, and ensuring safety. The proposal more specifically and accurately determines where a skipper may operate.

3.19 The proposal removes potential for unintended consequences, such as a S2NM certificate holder going into STCW or STCW-F waters.

3.20 The proposal will be durable. It more clearly sets out requirements for the S2NM certificate (sea service) and ensures New Zealand meets our obligations under the STCW and STCW-F conventions. By appropriately aligning with the legislative framework and international maritime conventions.

3.21 You can read a summary of Maritime NZ's assessment in **Table 1, Appendix 1.**

What does this mean for you?

3.22 Maritime NZ considers that there are limited impacts for seafarers, operators, and the sector as the S2NM certificate is not fully implemented. The policy intent of the S2NM certificate has not changed. These amendments will be incorporated into implementation and communications.

3. Skipper Two Nautical Miles Certificate: improving implementation and confirming policy intent

Questions on the proposal

Q3.1	Do you agree with Maritime NZ's proposal to remove the term 'self-declared' from row 5 of 'Table 2A Table of requirements for S2NM? Why or why not?
Q3.2	Do you agree with Maritime NZ's proposal to amend the privileges of the S2NM certificate? Why or why not?
Q3.3	Are there specific costs, benefits, or other impacts that you would like to let us know about?

3.23 The proposed amendments for this option can be found in **Appendix 2** (Proposed Maritime Rules Amendments 2026 and Marine Protection Rules Amendments 2026) here.

Section C: Changes to Marine Protection Rules

This section covers the proposals to:

- create a national requirement to regulate foreign ship fuel changeover and mitigate the risks associated with it. We are also testing national alignment options to support the use of clean technologies.
- consult on the Government's decision to use the NZ ETS as New Zealand's primary mechanism to meet MARPOL Annex VI carbon intensity obligations for domestic ships.

Objectives and criteria used to assess the proposals

Maritime NZ used the following objectives to develop the options for ship fuel changeover:

- International shipping have clear and consistent national requirements when operating in New Zealand waters, and
- Ship fuel changeovers are conducted in a manner that minimises the risks of safety and environmental harms, and enables effective maritime response.

The following criteria were developed to assess the proposed changes for ship fuel changeover:

- **Proportionate** – the option addresses any known gap but avoids either under-regulating or over-regulating in relation to the potential for harm
- **Effective** – the option prevents or minimises safety, environmental and economic harms. NZ's response capabilities can effectively manage ship incidents when there are issues with fuel changeover.
- **Consistent** – there are clear national requirements that are applied consistently across all regions.
- **Durable** - any requirements sit within the appropriate framework, can accommodate flexibility and clean technologies, and will be fit for purpose over time.

Maritime NZ used the following objectives to develop the approach to implement the Government's decision on carbon intensity (CI) requirements for domestic voyaging ships:

- Ship energy efficiency requirements are practicable for operators and they are not subject to disproportionate costs.
- New Zealand continues to meet its international obligations under MARPOL Annex VI.

The following criteria have been developed to assess the proposal for carbon intensity requirements:

- **Proportionate** – energy efficiency measures are set at an appropriate level where NZ has discretion, and do not over-burden the sector.
- **Equitable –** operators who wish to remain compliant or who have innovated are not disadvantaged by any changes to the CI regime.
- **Our international obligations are met** – ship operators are incentivised to act in a manner that is consistent with the international CI requirements, to a reasonable and practicable extent.

4. Ship fuel changeover

Overview

4.1 Maritime NZ is proposing a national requirement for ship fuel changeover. Three options have been developed:

- Option 1: Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea.
- Option 2: Ships must complete any intended fuel changeover to Annex VI compliant fuel outside territorial sea **or** if using scrubbers, must use these in zero discharge mode while inside New Zealand's territorial sea (aligning with current New Zealand national guidance).
- Option 3: Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea **or** if using scrubbers, must use these in zero discharge mode while moored.

Background and context

4.2 Ship fuel changeover refers to the process when a ship switches from one fuel type to another. The main reason ships change between fuel types is to balance fuel economy and availability with meeting more stringent air emissions standards that have progressively come in over time[13] through International Maritime Organisation (the IMO) requirements.

4.3 Ship fuel changeover is a risky activity due to the increased risk of loss of propulsion. Loss of propulsion can cause harm to human life, coastal ecosystems and coastal infrastructure.

4.4 Foreign ships that change fuel types tend to use emissions reduction technology called 'scrubbers'. Scrubbers enable ships to use cheaper higher sulphur fuels on long international voyages, while meeting Annex VI emission standards wherever they go.[14] These ships often change to compliant low-sulphur fuel when entering territorial waters or sea areas with special restrictions.[15]

[13] For example there was a large drop in 2020 of the allowable fuel sulphur content limit from 3.5% to 0.5%. An even stricter limit of 0.1% fuel sulphur applies in specified Emissions Control Areas (ECAs) recognised by the IMO.
[14] The Ministry for the Environment comissioned a risk assessment in 2020/2021 on the environmental risk of scrubbers to New Zealand. The final report and recommendations are available at Environmental risks from discharges from exhaust gas cleaning systems on ships in Aotearoa New Zealand | Ministry for the Environment. A one page summary can be found here: Discharges-from-exhaust-gas-cleaning-systems-on-ships_final.pdf
[15] The IMO has issued guidance about when States may consider regulating scrubbers in their territorial sea (for example MEPC.1-Circ.899.pdf)

The current situation

4.5 Five different Harbourmaster Directions apply in parts of the country.

4.6 New Zealand has national guidance on scrubbers[16] that asks ships work with local authorities and avoid discharging scrubber washwater near shore, either by carrying compliant low-sulphur fuel or using zero-discharge mode and storing waste for disposal at port facilities[17].

Current regime including the rules

4.7 Annex VI sets out requirements for fuel changeover in Regulation 14, for ships that change fuel oils to meet stricter requirements in defined 'Emissions Control Areas' (ECAs). Regulations 4.1 – 4.4 enables the approval of equivalents (as long as they are at least as effective in reducing emissions). They also requires relevant guidelines to be taken into account, and that countries using equivalents such as scrubbers endeavour not to impair or damage their environments, human health, property or resources or those of other States.

4.8 The Annex VI fuel changeover and approval of equivalent requirements are implemented in New Zealand through Marine Protection Rule Part 199. New Zealand ships travelling into or out of ECAs must follow fuel change procedures and document these including the date, time and ship's location for the changeover (rule 199.104 of SubPart B). No NZ ships currently travel through ECAs but this provision would apply as needed in future.

4.9 The Part 199 rules (Sections B4 and C4) enable the Director to approve an equivalent compliance method on a New Zealand ship, and provide for a marine protection transport instrument to specify requirements. As New Zealand does not have any ships using equivalents the marine protection transport instrument does not yet exist.

4.10 SubPart D and Schedule 3 in Part 199 has requirements for foreign flagged ships in our waters. These include monitoring, record keeping and certificate requirements for Port State Control.

The issue

4.11 Harbourmaster Directions are inconsistent and do not cover all regions.

4.12 Marine Protection Rule Part 199 requires foreign ships to hold certificates and record their fuel-change procedures, but it does not tell them where to carry out the changeover.

[16] Guidance available at Guidance on the use of exhaust gas cleaning systems (scrubbers) for ports, regional authorities and ships in New Zealand waters | Ministry for the Environment

[17] Maritime NZ has a Memorandum of Understanding on port reception facilities with the Port of Tauranga.

4.13 Industry data collated and analysed by Maritime NZ[18] show that foreign ship numbers in our waters are rising, shipping lines are increasingly sending older ships to New Zealand, and that an increasing number are also using scrubbers. This means fuel changeovers are happening more often.

4.14 Maritime NZ has also dealt directly with ship fuel changeover-related propulsion incidents in NZ waters and is aware of observational evidence that ships have changed fuel between regions at times.[19] This reinforces the need for a national approach.

Proposals

4.15 The following rules changes to Part 199 are proposed:

- Adding a clarifying rule provision on marine protection products under Subpart A
- Adding enabling provisions for the Director to make a marine protection transport instrument (MPTI) in sections B4, C4, and section D1

4.16 The Director is also proposing to create the MPTI itself.

Option 1 – Fuel changeover outside 12 nm

4.17 Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea (outside 12 nm). Guidance would recommend starting the changeover four hours before reaching 12 nm, and using the same timing when leaving New Zealand. Detailed procedures and compliance steps would sit in the MPTI and apply to all ships.

Option 2 – Fuel changeover outside 12 nm OR zero-discharge scrubber mode inside the territorial sea

4.18 Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea. If they opt not to change fuel and instead opt to use scrubbers, these must be used in zero discharge mode inside New Zealand's territorial sea (aligning with current New Zealand national guidance). All compliance matters would be set out in the MPTI.

Option 3 – Fuel changeover outside 12 nm OR zero-discharge scrubber mode when moored

4.19 Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea **or** if using scrubbers, must use these in

[18] Information provided to Maritime NZ from Lloyds and industry updates in the period 2019 – 2025. These trends are driven by factors like tightening IMO emissions standards, fuel costs and lengthy distances on international trade routes, and port infrastructure challenges.
[19] Data collated by Maritime NZ data identified that 110 foreign ship incidents were linked to propulsion failure in the period January 2019 – October 2023, some of which were fuel related. Checks of Bunker Delivery Notes and oil record books have at times indicated issues with fuel changeover.

zero discharge mode while moored. As with options 1 and 2, all compliance matters would be set out in the MPTI.

Assessment of Option 1 – Fuel changeover outside 12 nm

4.20 Under this option, all ships changing fuel must do so outside the territorial sea (12 nm). Guidance would advise ships to begin the process four hours before reaching 12 nm when entering or leaving New Zealand waters.

4.21 A single national requirement would give operators a clear, enforceable requirement and provide a proportionate response to the risks of propulsion failure.

4.22 Requiring fuel changeover outside 12 nm reduces the chance of a close-to-shore incident and gives maritime responders more time and space to act if an issue occurs.

4.23 This option does not resolve differences in regional scrubber settings or support newer emissions-reduction technologies.

What does this mean for you?

4.24 This requirement would apply to any foreign ship that changes between fuel types and uses scrubbers while operating in New Zealand. Maritime NZ understand that no New Zealand ships currently change between fuel types or use scrubbers therefore this requirement does not apply.

4.25 Ships must carry compliant fuel, have a written fuel-changeover procedure, and log the time, date, and location of changeover in the ship's log book. Crew need to understand these procedures. Ships must finish the changeover before reaching 12 nm, with the system flushed and operating on compliant fuel.

Questions on Option 1 – Fuel changeover outside 12 nm

Q4.1 Do you support creating a nationally consistent fuel changeover requirement for New Zealand's territorial sea?

Q4.2 Are there any costs, benefits, or other impacts we should consider for this option?

4.26 The proposed amendments for this option can be found in **Appendix 2** (Proposed Maritime Rules Amendments 2026 and Marine Protection Rules Amendments 2026) here.

Assessment of Option 2 – Fuel changeover outside 12 nm OR zero-discharge scrubber mode inside the territorial sea

4.27 Option 2 provides a clearer, more flexible, and effective way to manage pollution risks and removes conflicting incentives that currently encourage ships to switch fuels between regions. It also supports the uptake and use of cleaner current and emerging technology.

4.28 Feedback from the regional councils indicates most foreign ships are already following the non-mandatory guidance. Option 2 would improve consistency and create a level playing field by ensuring all operators follow the same national standard.

What does this mean for you?

4.29 Ships can still reduce fuel costs by using scrubbers in zero-discharge operating mode inside the territorial sea. However, ships will generate waste that must be offloaded and paid for at port reception facilities, such as in Tauranga.

4.30 No New Zealand ships currently use scrubbers or change between fuel types, but the zero discharge operating mode requirement would apply to any future ships that used this technology.

4.31 The same fuel changeover requirements would apply as for Option 1. Existing requirements to keep scrubber monitoring records and the scrubber record book updated and available for inspection would apply. In addition, the ship's position at the point the scrubber starts or stops operating in zero discharge mode must be recorded in the ship's log book or the scrubber record book. This information must also be readily available on request.

Questions on Option 2 – Fuel changeover outside 12 nm OR zero-discharge scrubber mode inside the territorial sea

Q4.3 Do you support giving ships a choice between changing fuel outside New Zealand's territorial waters or using scrubbers in zero-discharge mode inside the territorial sea?

Q4.4 Are there any costs, benefits, or other impacts we should consider for this option?

4.32 The proposed amendments and MPTI for this option can be found in **Appendix 2**.

Assessment of Option 3 – Fuel changeover outside 12 nm OR zero-discharge scrubber mode when moored

4.33 This option partially reflects the Nelson Harbourmaster Direction[20] and requires ships to use zero-discharge mode only when moored. It also supports the uptake and use of cleaner current and emerging technology.

4.34 However, Option 3 does not align with national scrubber guidance and may conflict with some regional settings. This could confuse foreign ship operators.

4.35 Option 3 provides weaker protection for sensitive areas. Many aquaculture, fishing, and high-value environments, such as Fiordland, sit outside ports and harbours, so requiring zero-discharge mode only when moored is less effective at managing risks in these locations.

What does this mean for you?

4.36 This option applies to the same ships covered under Options 1 and 2.

4.37 As with Options 1 and 2, existing requirements to keep scrubber monitoring records and the scrubber record book updated and available for inspection would apply. The same fuel changeover requirements would apply as the other options, and the ship's position at the point the scrubber starts and stops operating in zero-discharge mode must also be recorded in the ship's log book or the scrubber record book. This information must also be readily available on request.

4.38 This option provides the same safety benefits as Option 1, and ships can still reduce fuel costs by using cheaper fuel inside the territorial sea when scrubbers operate correctly in zero-discharge mode.

4.39 Compared with Option 2, this option would likely cost operators slightly less because ships would only need to switch to zero-discharge mode when moored. This reduces the amount of scrubber waste they need to store and dispose of at port reception facilities.

[20] The Nelson Direction states that any vessel operating in the Nelson Harbour and using a scrubber, must do so in zero-discharge mode.

Questions on Option 3 – Fuel changeover outside 12 nm OR zero-discharge scrubber mode when moored

Q4.5	Do you support allowing ships to use scrubbers in zero-discharge mode only when moored?
Q4.6	Are there any costs, benefits, or other impacts we should consider for this option?

4.40 The proposed amendments and MPTI for this option can be found in **Appendix 2**.

4.41 You can read a summary of Maritime NZ's assessment of the options in **Table 2, Appendix 1.**

5. Carbon Intensity (CI) requirements for domestic voyaging ships

Overview

5.1 In 2025 the Government decided to use the New Zealand Emissions Trading Scheme (NZ ETS) as the way domestic voyaging ships (400 GT and more) will meet their carbon intensity (CI) requirements. The NZ ETS will become the main driver of energy efficiency for domestic voyaging ships, and mandatory CI requirements for ships that only voyage domestically will be removed.

5.2 We are consulting on ways to implement this decision, specifically by revoking the relevant sections of Rule Part 199 to remove mandatory requirements for domestic voyaging ships to meet CI measures.

5.3 Using the NZ ETS would not stop operators also meeting the extra CI requirements that would allow them to take international voyages. However, we are interested in hearing stakeholder's views on whether they would like an optional pathway to comply with CI requirements to be included in the rules. We are proposing a new rule that would allow this to happen in the future.

Background and context

5.4 The current CI requirements stem from Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL), which New Zealand implemented in 2022. Chapter 4 of MARPOL Annex VI (Regulations – 29) requires all ships 400 GT or more, not engaged solely on a domestic voyage, to identify and manage the ship's carbon intensity.

5.5 Annex VI requires parties to adopt measures to ensure that domestic voyaging ships also operate in a way that is consistent with the international requirements, to the extent 'reasonable and practicable'. Currently the Chapter 4 requirements also apply to applicable domestic ships. This proposal will change the application of the Chapter 4 requirements to domestic ships.

5.6 Note, New Zealand went further than the minimum energy efficiency requirements when implementing Annex VI of MARPOL by including domestic vessels. Under these proposals New Zealand will still be meeting our international obligations under MARPOL.

The current situation

5.7 New Zealand currently has 7 vessels that are 5000GT or more, and around 57 vessels that range from 400GT–4999GT. Some of these ships travel

internationally at times, whilst others are solely domestic voyaging. A large portion of this fleet are now meeting the CI requirements[21].

5.8 All domestic voyaging ships 400 GT or more must have a Ship Energy Efficiency Management Plan (SEEMP) developed specifically for the ship that describes operational measures and maintenance decisions to improve energy efficiency.

5.9 Some ships must also have a calculation of either an Energy Efficiency Design Index (EEDI) or, from 1 January 2023, an Energy Efficiency Existing Ship Index (EEXI)[22]. Whether an EEDI or EEXI is required depends on the date of construction and the type of ship.

5.10 Some types of ships are also categorised as 'carbon intensity' ships[23], and are subject to requirements that do not apply to non-carbon intensity ships. A more recent change agreed under the IMO means that the largest ships of 5000 GT or more must also calculate and report an Attained Annual Operational Carbon Intensity Indicator (CII) rating.

Current rules

5.11 The Regulations in Chapter 4 of Annex VI are implemented for New Zealand domestic voyaging ships through the rules under Sections C8 to C10 of Marine Protection Rule Part 199. Part 199 has been in force since 2022.

The issue

5.12 The Government's decision to use the NZ ETS as the way domestic voyaging ships (400 GT and more) will meet their carbon intensity (CI) requirements was based on concern from the maritime sector. Some coastal shipping operators have expressed concern about the costs of complying with the international energy efficiency requirements. They consider that the NZ ETS already incentivises them to increase efficiency and reduce emissions as a result of the carbon price on fuel, and that the CI regime just adds unnecessary costs.

5.13 A number of specific challenges have been identified by operators of certain ship types. For example the largest (5000GT+) coastal ships that do not travel long distances sometimes appear less efficient under the CI regime, due to high energy demands when in port and travelling less distance. Self-loading and unloading bulk carriers in particular experience this issue, as they need to

[21] Maritime NZ is working with ROs and some ship operators where there are gaps in information or reporting, to ensure evidence of compliance is correctly documented.
[22] Some categories of ships are excluded from the EEDI and EEXI requirements.
[23] Carbon intensity ships are 400GT or more and include bulk carriers, combination carriers, container ships, cruise passenger ships, gas carriers, general cargo ships, LNG carriers, refrigerated cargo ships, ro-ro cargo ships, ro-ro cargo ships (vehicle carriers), ro-ro passenger ships, and tankers.

run engines to operate pumps when alongside the wharf. This means it is challenging to meet the required CII efficiency rating[24].

5.14 These types of ships may never be able to comply with the required rating, if the CI requirements remain the same. While applying for an exemption is possible this situation is not sustainable from a regulatory or sector perspective.

5.15 The rules are also prescriptive on the reporting of fuel used, and for what purposes (for example power generation or auxiliary services) which is relatively laborious to record accurately, unless the ship has integrated systems installed that can capture the level of detail required by the rule.[25] This has resulted in additional costs for some operators to ensure the right systems are in place.

Proposal – using the NZ ETS as the primary driver for ship energy efficiency

5.16 The Government has decided[26] to use the NZ ETS as the primary means to drive improvements in efficiencies by domestic-voyaging ships 400 GT and more. This is because the NZ ETS is an appropriate measure for ensuring ships act in a manner consistent with MARPOL Annex VI CI requirements.

5.17 To implement the Government's decision it is proposed that the rules under Sections C8 to C10 in Part 199 that apply to domestic voyaging ships are revoked. This means these ships will no longer need to meet those requirements if only voyaging domestically.

5.18 The ETS and the CI requirements under Annex VI both help to improve energy efficiency however the way they achieve this is different. The ETS (which applies to wider industry, not just shipping) has created an upstream carbon price for liquid fossil fuel suppliers which results in a cost on emissions for downstream fuel users. This indirectly incentivises industry to improve efficiencies, whereas the CI measures (which apply only to certain types of large ships) work more directly on shipping through targeting choices around ship design and fit out, as well as maintenance and operational decisions.

5.19 The obligations also differ, for example the ETS requires shipping to pay for emissions from fossil fuel used, whereas the CI measures require documentation, self-assessment, planning and reporting to show how ship design and operational choices are improving energy efficiency.

[24] The CII rating is categorised from A – E. Ships must be able to meet a minimum rating of a C, or show a plan of corrective actions that will achieve this within a set time frame.
[25] The rule does allow for alternative calculation methods.
[26] The Government signalled in NZ's second Emissions Reduction Plan that it would review the application of the international CI requirements to domestic shipping. The Plan is available at: New Zealand's second emissions reduction plan 2026–30 | Ministry for the Environment.

We are interested in sector views on whether flexibility and choice around compliance is desirable

5.20 Maritime NZ would like to understand whether the sector would like to retain some choice and flexibility in the rules to continue complying with the CI requirements, where operators consider it may be of benefit to them.

5.21 We are aware that many in the sector are now compliant with the CI regime, and that investments have been made in sustainability and ship efficiency measures. Example of these investments include costs for one-off requirements like calculating ship EEDI or EEXI, design choices with new-builds currently under construction, and ship fit outs for gathering and reporting fuel consumption data.

5.22 Some operators may wish to keep their ships compliant in order to facilitate future travel or sale overseas, where the efficiency investments align with sustainability policies, or where there are other net benefits from remaining compliant.

A pathway to allow for future domestic-voyaging ship CI compliance can be established in the rules

5.23 This proposed rule changes would not stop operators meeting CI requirements that would allow them to take international voyages. However, we are interested in hearing stakeholder's views on whether they would like an optional pathway to comply with CI requirements to be included in the rules.

5.24 A number of rules are proposed to be created under Sections C1, C8, C9 and C10 that would establish the ability to create a Marine Protection Transport Instrument (MPTI) in the future. A clarification provision would also be added under Subpart G (Surveyors) to link to the MPTI. The future MPTI would be able to prescribe energy efficiency measures that could apply to 400GT + domestic ships in future. The instrument will not be made yet. This would allow for flexibility in the domestic ship energy efficiency framework to adapt as needed.

5.25 Note, operators can still choose to comply with the CI requirements that would allow vessels to go on international voyages. Large ships that are in class, travel only domestically and wish to continue to comply with the energy efficiency measures, can seek confirmation of their compliance through the usual surveys. A statement of compliance can be sought from the Recognised Organisation (the ship's RO).

Assessment of proposal

5.26 Maritime NZ considers that the proposal would reduce cost impacts compared to the status quo for operators of the CI fleet, as they would only be subject to existing ETS costs, and both administrative and cost burden would be reduced. The proposal would also address known difficulties for the sector (in particular for certain types of large ship), and reduces ongoing compliance costs for any new (or new to NZ) 400GT+ ships that only voyage domestically.

5.27 Using the ETS as a primary efficiency driver provides some basis for incentivising improvements in ship energy efficiency, and is likely to meet New Zealand's obligation under Annex VI for domestic voyaging ships to act in a manner consistent with the international CI requirements as far as reasonable and practicable. However the strength of the ETS incentive depends on the New Zealand Unit (NZU) price forecast, along with fuel price forecasts and is a more indirect influence on ship energy efficiency.

5.28 Retaining some flexibility and choice around compliance could be a more equitable regulatory approach overall, for operators of ships that are currently (and wish to remain) compliant. Similarly, those who have made investments or innovations in efficiency, would not be disadvantaged by removing any pathways to comply. For example where new ships (such as ferries) are being built to meet EEDI design standards, existing ships are intended to be sold overseas, or where an operator .decides to undertake an occasional overseas voyage and needs to meet foreign Port State Control requirements.

5.29 You can read a summary of Maritime NZ's assessment in **Table 3, Appendix 1.**

What does this mean for you?

5.30 Maritime NZ considers the proposed change would benefit operators of domestic voyaging ships that are 400GT or more as they will no longer need to meet the CI requirements under Part 199. This will mean reduced costs for these operators.

5.31 However if an operator of a domestic voyaging ship of 400GT or more decides to undertake an international voyage[27], the CI requirements would apply in full and all required evidence and certificates would need to be in place.

5.32 If feedback from the sector indicates a desire to keep the flexibility to remain compliant, and the Director makes the transport instrument, then ship operators could use this to continue (or opt in) to comply with the CI regime.

5.33 If an opt-in pathway were created, Maritime NZ could consider whether an Annex VI Endorsement attached to a ship's Certificate of Survey (CoS) could be used to demonstrate a domestic-voyaging ship has met the CI requirements in the transport instrument.

[27] International voyage means calling in to a foreign port.

Questions on the proposal

Q5.1	Do you consider that revoking Sections C8 to C10 of Rule Part 199 will effectively implement the Government's decision to use the NZ ETS instead of CI requirements?
Q5.2	Do you think the rules should have a flexibility mechanism for operators to have the option to comply with CI requirements in the future, for business reasons? If so, do you have a preference for the type of certificate to show compliance?
Q5.3	Do you have any feedback on the draft establishing rules being consulted on, for a future marine protection transport instrument?
Q5.4	Are there specific costs, benefits, or other impacts from this proposal that you would like to let us know about?

5.34 The proposed amendments for this proposal can be found in **Appendix 2** (Proposed Maritime Rules Amendments 2026 and Marine Protection Rules Amendments 2026) here.

Section D: International amendments and miscellaneous rule amendments

This section covers a range of changes to the Rules to align New Zealand's legislation with International Maritime Conventions. The section also covers miscellaneous changes to the Rules, which include changes to Marine Protection Rule Part 199 to clarify Nitrogen Oxide (NOx) engine requirements for ships that travel outside NZ's EEZ, and to address minor drafting issues.

Objectives and criteria used to assess the proposals

Maritime NZ used the following criteria to prioritise which amendments from International Maritime Conventions to make:

- The amendments are already in force as at 28 January 2025 and require rules changes or gazette notices required to give effect to the changes.
- The matters dealt with by the amendments could have significant implications or impacts for safety, marine pollution, and workforce outcomes, and result in an unacceptable level of risk.

Maritime NZ used the following objectives to assess the proposals for the international amendments:

- To implement mandatory requirements already in force, where they are identified as likely to have moderate to significant safety, reputational, or environmental risks if not updated in the rules.
- To support Maritime NZ's regulatory operations. Such as; our ability to support and manage third parties with delegated responsibilities, conduct Port State Control, and supporting front line decision-making.

6. International amendments

Overview

6.1 Amendments are proposed to Maritime Rule Part 121A and updates to material incorporated by reference, to implement changes to international conventions agreed by member states, including New Zealand, under the IMO.

6.2 The relevant changes are already in force and our rules framework is out of date due to continued changes coming out of IMO agreements. In the past, Maritime NZ worked these changes into an International Omnibus. Now these changes will be made through RAPs.

6.3 The proposed amendments are technical in nature and mainly impact New Zealand SOLAS[28] ships and foreign SOLAS ships visiting NZ ports. A summary of the international updates is provided below.

Background and context

6.4 New Zealand is party to several international maritime safety and marine protection conventions negotiated under the IMO.

6.5 These conventions set out frameworks for managing maritime safety and ship pollution. New Zealand accepts changes to these conventions through the IMO's tacit acceptance process. This means countries are understood to have agreed to proposed amendments unless they expressly object, so any changes agreed must be implemented by New Zealand into domestic law.

6.6 In 2024 Maritime NZ consulted on a set of rules amendments to implement changes to a number of international conventions, known as the International Omnibus 2024. These changes came into force on 1 December 2025.

The current situation and the issue

6.7 As a result of the continual rolling cycle of changes at the IMO, we have a backlog and our rules framework is out of date. New Zealand still needs to implement mandatory changes that have already come into force.

6.8 As the latest standards are not implemented, this has resulted in a range of issues. For example, New Zealand ships travelling overseas will not be able to demonstrate compliance, and Maritime NZ's Port State Control functions are compromised – it is difficult to enforce something on a foreign ship if we have not implemented those requirements ourselves.

[28] SOLAS ships (as defined in Rule Part 21) are any ships to which the International Convention for the Safety of Life at Sea 1974 applies. These ships are typically passenger ships that voyage internationally, or non-passenger ships 500GT or more that voyage internationally.

6.9 Regular updates to bring the rules in line with the international amendments are a core part of Maritime NZ's regulatory stewardship role. Our Regulatory Amendments Packages (RAP) will be the primary mechanism to keep the domestic framework up to date with our international commitments. This mechanism will in future, help to avoid the present backlog issue.

Proposal – updating the rules to implement changes to conventions

6.10 Maritime NZ proposes a number of updates to implement changes that are already in force internationally. The proposed amendments mostly impact SOLAS ships and foreign ships visiting NZ ports.

6.11 A summary of the changes under the relevant conventions (and associated codes or protocols) is set out below:

- *The Protocol of 1988 Relating to the International Convention on Load Lines, 1966* – harmonising with requirements under other conventions, such as updating acceptable arrangements for scuppers and discharges, and references to criteria that establish that the condition of equilibrium after flooding is satisfactory.
- *International Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk Code (the IGC Code)* – updates related to ship survival capability, and the location of cargo tanks. Previous requirements that apply 'in any stage of flooding' are replaced.
- *The International Maritime Solid Bulk Cargoes Code (the IMSBC Code under SOLAS)* – a suite of changes to (and adding new) definitions relating to testing and safe assessment of cargoes, schedules for solid bulk cargoes and fertilisers, laboratory procedures and apparatus, and translation of names into other languages.
- *The International Maritime Dangerous Goods Code (the IMDG Code under SOLAS)* – changes to align with United Nations recommendations, update definitions, and update requirements for training, security, dealing with radioactive material and other dangerous goods, consignment, packing, testing and transport.
- *The Code for the Construction and Equipment of Mobile Offshore Drilling Units (amendments to the 1979, 1989, and 2009 MODU Codes under SOLAS)* – changes to ensure the earlier Codes align with 2009 specifications for radio communications facilities, and to update 2009 Code provisions for radio communications and navigation matters.
- *The International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011 (the 2011 ESP Code under SOLAS)* – changes and additions to requirements for surveys, programmes of inspection and condition evaluation reports for bulk carriers with single-side and double-side skin construction, and updates to these requirements for oil tankers with double hulls and those other than double-hulled.

- *Annex I of the International Convention for the Prevention of Pollution from ships, 1973 (MARPOL)* - changes to requirements for subdivision and damage stability in the cargo area of oil tankers, such as considerations for the final waterline concerning sinkage, heel, and trim in relation to openings through which progressive flooding might occur.
- *The International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (the IBC Code under MARPOL Annex II)* – changes to requirements for watertight doors.
- *MARPOL Annex II - Revised categorisation of Noxious Liquid Substances (NLS*) - revisions to the categorization of Noxious Liquid Substances (NLS) to reflect the revised Joint Group of Experts on the Scientific Aspects of marine Environmental Protection (GESAMP) Hazard Evaluation Procedure.
- *Performance standards for shipborne voyage data recorders (VDRs*) – changes dealing with float-free capsules in which the float-free recording medium is installed, to ensure VDR data is protected and recoverable.

6.12 Updates to international conventions can be implemented as rule changes or by cross-referencing convention standards or requirements within a rule. This is known as 'incorporation by reference'.[29]

6.13 Under the MTA Maritime NZ is not required to consult on updates to *existing* material incorporated by reference, so updates to any existing requirements that are incorporated by reference are usually done by publishing a Gazette Notice in *the New Zealand Gazette.*

6.14 All but one of the above updates will be notified by Gazette notice as updates to material incorporated by reference in the relevant rules. Rules amendments to Part 121A are proposed to implement the update to MARPOL Annex I, changes to requirements for subdivision and damage stability in the cargo area of oil tankers.

What does this mean for you?

Benefits

6.15 Implementing these changes would:

- Maintain international alignment and support Port State Control.
- Improve safety and environmental outcomes by ensuring ships meet current standards.
- Provide indirect economic benefits by supporting efficient international operations.

[29] Incorporation by reference is useful for updates to highly technical matters such as equations, diagrams, and detailed standards that are best left to sit in technical documents created under the IMO. This means the rules can be less complex.

6. International amendments

Costs

6.16 Expected costs are low and include:

- Minor compliance effort for operators to understand updated rules (offset by guidance and training).
- Small adjustments for RO surveyors to reflect updated requirements (changes already in force internationally).

Questions on proposed amendments

Q6.1	Do you have any comments about how updates to IMO conventions are being implemented in the rules?
Q6.2	Do you have any comments on specific maritime safety or marine protection outcomes from the proposed changes? If so, what are they?
Q6.3	Are you aware of any other impacts (for example other costs or benefits) on the maritime industry from the proposed rules' amendments, that we have not identified? If so, what are these?

6.17 The proposed rules amendments can be found in **Appendix 2** (Proposed Maritime Rules Amendments 2026 and Marine Protection Rules Amendments 2026) here.

7. Miscellaneous rule amendments

Overview

7.1 Maritime NZ is proposing minor and technical amendments to the Maritime Rules and Marine Protection Rules. These changes will provide clarity for operators, surveyors, and Maritime NZ, and ensure the rules reflect policy intent.

7.2 The proposed changes include an amendment to Marine Protection Rule Part 199 to address a drafting error that unintentionally excludes certain engines from NOx requirements. The drafting error can be addressed by changing 'does not apply' to 'applies' in Rule 199.386(5).

7.3 This section focusses on the minor amendment to Part 199. Other amendments to Parts 20, 32, 40D, 80, 90, and Part 103 are also included in the draft rule amendments.

Background and context

7.4 Part 199 has been in force since 2022 and gives effect to New Zealand's obligations under MARPOL Annex VI (ship air pollution and energy efficiency).

7.5 Maritime NZ has observed that Part 199 is largely working in practice based on feedback from operators and surveyors, and Maritime NZ's own experience.

The current situation

7.6 Section C3 of Subpart C in Part 199 deals with Nitrogen Oxide (NOx) engine requirements for domestic voyaging ships – those that are not on an international voyage. This section applies the NOx emissions limits in regulation 13 of Annex VI.

7.7 Rule 199.386(5) in Subsection C3B applies the NOx limits to ships with engines that have a power output of more than 5000kW with a cylinder displacement of less than 90L, installed on ships constructed on or after 1 January 1990 but prior to 1 January 2000.[30]

The issue

7.8 A drafting error in rule 199.386(5) unintentionally excludes a subset of older ship engines from the domestic NOx requirements.

[30] If the engine has undergone a major conversion on or after the date the subsection came into force, or if it is installed on a ship that was a NZ ship on or after that same date.

7.9 Rule 199.386(5)): the words ‘does not apply’ create an unintended carve out. As written, the domestic NOx rules in Subsection C3B do not capture engines in scope of 199.386(5).

7.10 This is inconsistent with the intent to bring older ships into the domestic NOx regime when they install a new engine or undertake a major conversion after the rules commenced.

Proposal

7.11 A correction is proposed to fix the drafting error in Rule 199.386(5) by changing ‘does not apply’ to ‘applies’ to clarify that Subsection C3B requirements apply to all engines in scope.

7.12 The amendment fixes a minor, technical, and known error and ensures the rules are clear on the engines in question.

What does this mean for you?

7.13 The correction clarifies requirements for operators of domestic voyaging ships with the specific engines described in paragraph 7.7. For these operators there are no changes to the obligations already intended. There are no additional costs.

7.14 For surveyors, the proposed amendments provide a clearer legal basis for decisions about engine certification.

Questions on the proposal

> Q7.1 Are there any practical issues (for example, for survey timing or documentation) that we should consider in implementing this clarification to Part 199?

7.15 Draft rule amendments are set out in Appendix 2 (Proposed Maritime Rules Amendments 2026 and Marine Protection Rules Amendments 2026) here.

Appendix 1: Analysis tables – proposed rules changes

Key to symbols in the tables:

Does not meet – The status quo, option or proposal has been assessed as not meeting the criteria described in the discussion document.

Partially meets + The status quo, option or proposal has been assessed as going some way to meeting the criteria described in the discussion document.

Meets ++ The current situation, option or proposal has been assessed largely or fully meeting criteria as described in the discussion document.

Appendix 1: Analysis tables – proposed rules changes

Appendix 1 Table 1: Skipper Two Nautical Miles Certificate: improving implementation and confirming policy intent

Proposal	Consistent	Effective	Efficient	Durable
Amend the definition of sea service and confirm the S2NM certificate's operating privileges.	Meets ++ The proposal ensures consistency with the MTA and conventions to which New Zealand is a party. By clearly defining the S2NM certificate's privileges, New Zealand will not breach STCW or STCW-F.	Meets ++ The proposal addresses the identified issues with sea service and the operational limits of the certificate. It maintains the certificate's intent while meeting the goals of maintaining our international obligations, maintaining competence and ensuring safety.	Meets ++ The proposal removes potential for unintended consequences, such as a S2NM certificate holder going into STCW or STCW-F waters. It will remove undue costs for Maritime NZ such as if further work had to be done on MyMNZ because of the current sea service requirements.	Meets ++ The proposal more clearly sets out requirements for the S2NM certificate and ensures we meet our obligations under the STCW and STCW-F conventions.

Appendix 1 Table 2: National consistency for ship fuel changeover in NZ waters

Option	Proportionate	Effective	Consistent	Durable
Maintain the status quo: variation in regional settings and national non-statutory guidance.	Does not meet – The mandatory Directions partially fill a regulatory gap, but risk both under or over-regulating due to lack of proper enforcement tools and variation in regional approaches. For example Directions are at times either more stringent than others, or don't exist in all regions where risks are present.	Partially meets + Some evidence that Directions and guidance may have reduced the rate of propulsion incidents in NZ waters since coming into effect. However unclear enforcement and compliance tools mean accurate information is difficult to get.	Does not meet – No consistent mandatory national position under the status quo, and foreign ships experience different requirements (or gaps) regionally. This can lead to ships sometimes changing between fuel types closer to the coast.	Does not meet – Foreign ship fuel changeover requirements currently sit within Standing Directions under Council Harbourmasters rather than in a nationally consistent maritime rule framework, which is the more appropriate regulatory regime. This creates issues with consistent and enduring enforcement of ship compliance.

Appendix 1: Analysis tables – proposed rules changes

Option	Proportionate	Effective	Consistent	Durable
Option 1: Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea.	Meets ++ Provides a mandatory setting, and enable enforceable fuel change controls. This would be a proportionate response to the potential and actual risks/harms from propulsion failure.	Meets ++ In the event of a fuel changeover, this option would ensure that the change happens at a distance from shore that allows time for mitigation of risks but also maintains accessibility for response efforts.	Partially meets + This option would ensure national consistency with fuel changeover and the fuel change requirement would align with approaches taken in other countries, and provisions in Annex VI around Emission Control Areas (ECAs). However regional inconsistency would still remain with scrubber settings, creating incentive for ships to change fuel when transiting between regional ports, increasing risk of non-compliance and safety/environmental risks.	Partially meets + This option deals with one component of the issue and would remain fit for purpose over time. The rules framework is the appropriate regulatory mechanism. However the rules regime would not accommodate new and clean equivalent technologies, and would be out of step with the approach taken by a growing number of Annex VI member states. This could still be reviewed in future as IMO settings are updated (that is, through existing IMO regulatory work).
Option 2: Ships must complete any intended fuel changeover to Annex VI compliant fuel outside territorial sea or if using scrubbers, must use these in zero discharge mode while inside New Zealand's territorial sea (aligning with current New Zealand national guidance).	Meets ++ This option would deal proportionately with risks from both environmental and safety harms. Waste sludge could be appropriately managed through the Port Reception Facilities provided at Port of Tauranga.	Meets ++ As with option 1 this option would support mitigation of any safety and environmental issues with fuel changeover. As this option also covers scrubber requirements, it would better prevent or minimise safety and pollution impacts from scrubbers in NZ waters and reduce incentives	Meets ++ This option would remove conflicting drivers that create mixed signals for industry. It would provide a more coherent and consistent framework, by aligning with current national guidance on scrubbers, and level the playing field for operators by ensuring uniform ship behavior.	Meets ++ This option would be more durable than the status quo or option 1, as it would accommodate current technologies, and would enable foreign ships to comply fully with all areas within the territorial sea – for example, Fiordland or where more stringent local water quality standards apply.

Appendix 1: Analysis tables – proposed rules changes

Option	Proportionate	Effective	Consistent	Durable
	The option offers flexibility to use scrubbers in zero discharge mode. Engagement with regional councils indicates that foreign ships seem to be largely accommodating NZ's non-mandatory scrubber guidance, and this option would formalise the requirement for desired behaviours.	for foreign ships to change fuel between regions. Maritime NZ could enforce this effectively through PSC and inspections as needed, and gather useful data for assessing the efficacy of the requirements.	This approach would be consistent with the position NZ has taken at IMO to date (that baseline regulatory measures for scrubbers are necessary), and with IMO legal guidance on the ability of states to regulate in their territorial sea. It would also align with objectives under Maritime NZ's new and low carbon technology Harm Prevention Programme. This option would also align more closely with approaches increasingly taken by other countries who have issued both fuel changeover and scrubber requirements.	It could also accommodate any regulatory approach adopted for scrubbers or Onboard Carbon Capture (OCC) by the IMO, meaning the regime is more durable over time.
Option 3: Ships must complete any intended fuel changeover to Annex VI compliant fuel outside New Zealand's territorial sea or if using scrubbers, must use these in zero discharge mode while moored.	Partially meets **+** This option would address safety risks, and environmental risk inside ports. This option has slightly lower costs for operators, as there would be lower volumes of on-board waste generated that require disposal at port facilities.	Partially meets **+** This option would be less effective than option 3 in addressing conflicting drivers for ship behaviour, with higher risk of non-compliance with fuel change requirement. However as aquaculture and fishing areas, and highly sensitive areas such as Fiordland lie outside of ports, this option does not wholly	Partially meets **+** This option reflects what one Direction currently requires – zero discharge in the Harbour. Whilst there would be a more nationally consistent approach in applying to ports, in practicality there would be differing restriction zones (12nm vs within port limits) which may lead to some confusion as to where the	Meets **++** This option would be more durable than the status quo and as with option 2, could be adapted in future to accommodate emerging technologies such as OCC systems.

Appendix 1: Analysis tables – proposed rules changes

Option	Proportionate	Effective	Consistent	Durable
		effectively address reflect the need for protection of these areas where they may be affected by ship transit routes.	restrictions apply for different areas.	

Appendix 1 Table 3: Review of international carbon intensity requirements for domestic voyaging ships 400GT +

Proposal	Proportionate	Equitable	Our international obligations are met
Remove the compulsory Annex VI international CI requirements for ships that only voyage domestically, and consider retaining flexibility that would allow an 'opt in' to remain compliant.	**Meets ++** Operators of large domestic voyaging ships would only be subject to existing ETS costs, and both administrative and cost burden would be reduced. The proposal would address known difficulties for the sector (in particular for certain types of large ship), and reduces ongoing compliance costs for any new or new to NZ 400GT+ ships that only voyage domestically.	**Meets ++** The proposal is more equitable for operator with ships that do not travel overseas. The ETS would be the minimum standard to comply, but operators could opt in to the CI regime if of benefit to them. Retaining some flexibility would likely be a more equitable regulatory approach overall, as it would not disadvantage ships that are currently compliant, or where innovations have been invested in. For example new ships being built to meet EEDI design standards, existing ships that may be sold overseas, or where an operator .decides to undertake an overseas voyage.	**Meets +** The proposal would provide some basis for incentivising improvements in energy efficiency, and encourage ships to act in a manner consistent with Chapter 4. However the ETS is not a strong driver. Keeping open the option to comply could more closely align with the intention of Annex VI, as the CI regime supports improvements in operational decisions (as opposed to just using a price signal). This further incentivises better energy efficiency decisions.

Appendix 2: Proposed Regulatory Amendments Package (RAP 3) Maritime Rules Amendments 2026 and Marine Protection Rules Amendments 2026

APPENDIX 2

ITC

PROPOSED
REGULATORY AMENDMENTS PACKAGE 3 (RAP 3)

Maritime Rules Amendments 2026

Marine Protection Rules Amendments 2026

DRAFT FOR PUBLIC CONSULTATION

Code key to amendments

The following colour-key applies to the amendment notation used in these proposed amendments:

inserts new rule: in green and underline

~~**deletes current rule**: in red and cross-through~~

Comments: in blue and boxed

Amendments relating to RAP 3 – SeaCert – Skipper Two Nautical Miles – S2NM

Entry into force

This proposed amendment is proposed to come into force on 14 August 2026

Amendments to Part 31: Crewing and Watchkeeping

Part 31 Table 18 Crewing for fishing vessels – Inshore limits and Inshore fishing limits

Less than 6 m operating within 2 nautical miles of the shoreline within inshore and inshore fishing limits	Master	S2NM	1

Amendments to Part 32: Seafarer Certification

Part 32 Table 2A Amendment

Table 2A Table of requirements for S2NM

1	**Age**	is at least 18 years of age.
2	**Prior certification**	none.
3	**Medical and eyesight**	demonstrates the applicable requirements of Part 34.
4	**Competency and training standard**	meets the following competencies: (a) safe navigation and use of electronic navigational systems: (b) management of the vessel and operation of its propulsion: (c) knowledge of the legal requirements for operating a vessel: (d) management of emergency situations.
5	**Sea service**	100 hours of ~~self-declared~~ approved sea service on any vessel or have equivalent experience operating a vessel.
6	**Training**	successfully completes relevant training.
7	**Examinations**	passes any examinations that the Director may require for S2NM.
8	**Ancillaries and GMDSS**	demonstrates the following ancillary proficiencies in accordance with rule 32.16: (a) first aid: (b) RROC.

32.41B Privileges of Skipper two nautical miles

(1) Subrule (2) applies within 2 nautical miles of the shoreline that is within the following limits:

(a) for a non-passenger ship, within restricted limits:

(b) for a fishing vessel or a fishing ship, within enclosed water, inshore, and inshore fishing limits.

(2) The privileges of a certificate of competency as Skipper two nautical miles are to perform the functions and duties of a master on a non-passenger ship or a fishing vessel or a fishing ship, of less than 6 metres in length, that is operated within 2 nautical miles of the shoreline within the limits described in subrule (1)—

(a) carrying 6 persons or fewer, during daylight hours; or

(b) carrying no other persons, during any hours.

32.43 Privileges of Skipper restricted limits

The privileges of a certificate of competency as Skipper restricted limits are to perform the functions and duties of a master on—

(a) passenger and non-passenger ships less than 12 metres in length carrying 19 passengers or less within restricted limits; and

(b) fishing vessels less than 12 metres in length within enclosed water, inshore, and inshore fishing limits.

32.61 Skipper restricted limits endorsed to 24 metres

(1) The privileges of a certificate of competency as Skipper restricted limits endorsed to 24 metres in are to perform the functions and duties of—

(a) a master on passenger or non-passenger ships less than 24 metres in length carrying 19 passengers or less within restricted limits; and

(b) a master on fishing vessels less than 24 metres length within enclosed water, inshore, and inshore fishing limits; and

(c) a mate on commercial ships of less than 500 GT within restricted limits; and

(d) a mate on commercial ships of less than 24 metres in length overall within coastal limits.

(2) The Director must endorse a certificate of competency for Skipper restricted limits to 24 metres if the Director is satisfied that the applicant has completed approved sea service of no less than 6 months on a commercial ship in a deck capacity.

32.62 Skipper restricted limits endorsed to 500 GT

(1) The privileges of a certificate of competency as Skipper restricted limits endorsed to 500 GT are to perform the functions and duties of a—

(a) master on passenger or non-passenger ships less than 500 GT carrying 19 passengers or less within restricted limits; and

(b) master on fishing vessels of less than 500 GT within enclosed water, inshore, and inshore fishing limits; and

(c) mate on commercial ships of less than 24 metres in length overall within coastal limits.

(2) The Director must endorse a certificate of competency for Skipper restricted limits endorsed to 500 GT if the Director is satisfied that the applicant has—

(a) completed approved sea service—

(i) of no less than 12 months within 5 years preceding the date of the application on ships of 12 metres in length or more while holding a current certificate of competency as Skipper restricted limits endorsed to 24 metres, or equivalent, that

has included the completion of an approved training record book while on board a ship; or

(ii) of no less than 18 months in command of commercial ships of 12 metres in length or more, that has included the completion of an approved training record book while on board a ship; and

(b) passed any assessment or examination that the Director may require for the endorsement.

Amendments to Part 20: Operating Limits

20.61 Enclosed water, inshore, offshore, and unlimited operating limits assigned under former Part 20

A ship that was assigned operational limits that were enclosed water, inshore, or offshore limits, or the unlimited area, under Part 20 prior to its revocation by rule 20.63 is deemed to have been assigned the same limit as defined in this Part.

Amendments relating to RAP 3 – Part 199 Fuel Changeover, SOx Compliance, and Equivalents

Marine protection products

199.25 Specified marine protection products

For the purposes of the definition of marine protection product in section 222(1) of the Act, the following are marine protection products:

(a) a marine diesel engine:

(b) a shipboard incinerator as defined in rules 199.141 and 199.441-:

(c) anything or substance specified as a marine protection product in any marine protection transport instrument made for the purposes of rule 199.103, 199.403, or 199.604.

Section B4 Sulphur oxides (SO_x) and particulate matter

...

199.103 Equivalents and associated requirements

(1) Rule 199.102 does not apply to a New Zealand ship to the extent an equivalent is approved by the Director under rule 199.22.

(2) Where an equivalent is being relied on to use a fuel oil with higher sulphur content than is set out in regulation 14.1 of Annex VI, the owner and the master must ensure the operation of that equivalent to achieve the same or better result as using fuel oil of a sulphur content that complies with regulation 14.1 of Annex VI, including any waste from that operation, complies with the requirements in any applicable marine protection transport instrument.

(3) For the purposes of subrule (2), a marine protection transport instrument may—

(a) prescribe requirements relating to the operation of, and the control of waste produced by the operation of, any equivalent approved under rule 199.22 referred to in subrule (1); and

(b) specify anything or any substance to be a marine protection product in accordance with section 222(1) of the Act.

(4) Nothing in this rule 199.103 authorises the discharge of any substance in contravention of any other enactment.

Section C4 Sulphur oxides (SO*x*) and particulate matter

...

199.403 Equivalents and associated requirements

(1) Rule 199.402 does not apply to a New Zealand ship to the extent an equivalent is approved by the Director under rule 199.22.

(2) Where an equivalent is being relied on to use a fuel oil with higher sulphur content than is set out in regulation 14.1 of Annex VI, the owner and the master must ensure the the operation of that equivalent to achieve the same or better result as using fuel oil of a sulphur content that complies with regulation 14.1 of Annex VI, including any waste from that operation, complies with the requirements in any applicable marine protection transport instrument.

(3) For the purposes of subrule (2), a marine protection transport instrument may—

(a) prescribe requirements relating to the operation of, and the control of waste produced by the operation of, any equivalent approved under rule 199.22 referred to in subrule (1); and

(b) specify anything or any substance to be a marine protection product in accordance with section 222(1) of the Act.

(4) Nothing in this rule 199.403 authorises the discharge of any substance in contravention of any other enactment.

....

Subpart D Foreign Ships

Section D1 General compliance — foreign ships

...

199.603 Compliance with Annex VI emission standards

(1) For the purposes of this rule 199.603, the following rules apply to a foreign ship:

(a) rule 199.361:

(b) rule 199.387:

(c) subject to rule 199.604 ~~subrule (4)~~, rule 199.402:

(d) rule 199.442(1):

(e) rule 199.462:

(f) rule 199.464.

(2) The owner and the master of a foreign ship must ensure compliance with the requirements in the rules specified in subrules (1)(a) to (f).

(3) To avoid doubt, this rule 199.603 applies—

(a) to a foreign ship of the same type to which the rules referred to in subrules (1)(a) to (f) apply; and

(b) to a foreign ship regardless that the application of the rules referred to in subrules (1)(a) to (f) is specified in those rules as being limited to a New Zealand ship and regardless of whether the foreign ship is on an international voyage.

~~(4) For the purposes of the requirement in subrule (1)(c)—~~

~~(a) the exception provided in rule 199.402 for a ship with an equivalent approved by the Director does not apply to a foreign ship; however~~

~~(b) rule 199.402 is subject to any equivalent approved in accordance with Annex VI by the flag State of the foreign ship so far as it provides an exception to regulation 14.1 of Annex VI for the sulphur content of fuel oil used by the ship.~~

199.604 Equivalents and associated requirements

(1) Rule 199.603(1)(c) does not apply to a foreign ship to the extent that—

(a) the ship is operated in accordance with an equivalent that is approved (and accepted under section 271 of the Act) in accordance with Annex VI by the flag State of the foreign ship so far as it provides an exception to regulation 14.1 of Annex VI for the sulphur content of fuel oil used by the ship; and

(b) the owner and the master of the ship comply with the terms and conditions that apply to that equivalent; and

(c) the owner and the master ensure the operation of that equivalent, including any waste from that operation, complies with the requirements in any applicable marine protection transport instrument.

(2) For the purposes of subrule (1)(c), a marine protection transport instrument may—

(a) prescribe requirements relating to the operation of, and the control of waste produced by the operation of, any equivalent referred to in subrule (1)(a); and

(b) specify anything or any substance to be a marine protection product in accordance with section 222(1) of the Act.

(3) Nothing in this rule 199.604 authorises the discharge of any substance in contravention of any other enactment.

....

199.6054 to 199.609 Reserved

[Rule 199.611(4)]

SCHEDULE 3

Port State Control – required certificates and documents

3.1 The certificates and documents required in rule 199.611 include the following:

3.1.1 the International Air Pollution Prevention Certificate (IAPP certificate) (regulation VI/6), including its Supplement; (where regulation VI/6 means regulation 6 of Annex VI):

3.1.2 the Engine International Air Pollution Prevention Certificate (EIAPP certificate) (2.2 of the NO*x* Technical Code) including its Supplement, for each applicable marine diesel engine:

3.1.3 the Technical File (2.3.4 of the NO*x* Technical Code) for each applicable marine diesel engine:

3.1.4 depending on the method used for demonstrating NO*x* compliance for each applicable marine diesel engine—

(a) the Record Book of Engine Parameters for each marine diesel engine (6.2.2.7 of the NO*x* Technical Code) demonstrating compliance with regulation VI/13 by means of the marine diesel engine parameter check method; or

(b) documentation relating to the simplified measurement method; or

(c) documentation related to the direct measurement and monitoring method:

3.1.5 for a ship to which regulation VI/13.5.1 applies for a particular NO*x* Tier III emission control area and that has one or more installed marine diesel engines certified to both Tier II and Tier III or which has one or more marine diesel engines certified to Tier II only, the required log book and the recordings for the tier and on/off status of those marine diesel engines while the ship is within an applicable NO*x* Tier III emission control area:

3.1.6 the Approved Method File (regulation VI/13.7):

3.1.7 the written procedures covering fuel oil ~~change over~~ changeover operations (in a working language or languages understood by the crew) where separate fuel oils are used in order to achieve compliance (regulation VI/14.6):

3.1.8 the approved documentation relating to exceptions and/or exemptions granted under regulation VI/3:

3.1.9 the approved documentation (SECC where issued, ETM, OMM, SECP) and relating to any installed Exhaust Gas Cleaning System (EGCS) or equivalent means, to reduce SO*x* emissions (regulation VI/4):

3.1.10 the required EGCS monitoring records and the EGCS Record Book including nitrate discharge data and performance records, or approved alternative:

3.1.11 the bunker delivery notes (BDNs) and, where applicable, representative samples or records thereof (regulation VI/18):

3.1.12 the copy of the type approval certificate of applicable shipboard incinerator (resolutions MEPC.76(40) or MEPC.244(66)):

3.1.13 the Ozone Depleting Substances Record Book (regulation VI/12.6):

3.1.14 the VOC Management Plan (regulation VI/15.6):

3.1.15 any notification to the ship's flag Administration issued by the master or officer in charge of the bunker operation together with any available commercial documentation relevant to non-compliant bunker delivery, regulation VI/18.2:

3.1.16 if the ship has not been able to obtain compliant fuel oil, the notification to the ship's flag Administration and the Director:

3.1.17 the Ship Energy Efficiency Management Plan (SEEMP):

3.1.18 the International Energy Efficiency Certificate.

3.2 The Record Books referenced in clauses 3.1.4, 3.1.5, 3.1.10, and 3.1.13 above may be presented in an electronic format, provided a declaration from the appropriate State is able to be viewed in order to accept this Electronic Record Book. If a declaration cannot be provided, a hard copy Record Book will need to be presented for examination.

3.3 On ships equipped with equivalent means of compliance, the documents required in rule 199.611 include:

3.3.1 evidence that the ship has received an appropriate approval for any installed equivalent means (approved, under trial or being commissioned):

3.3.2 evidence that the ship is using an equivalent means, as identified on the Supplement of the IAPP certificate, for fuel oil combustion units on board or that compliant fuel oil is used in equipment not so covered:

3.3.3 bunker delivery notes on board that indicate that the fuel oil is intended to be used in combination with an equivalent means of SO*x* compliance or the ship is subject to a relevant exemption to conduct trials for SO*x* emission reduction and control technology research.

Proposed Marine Protection Transport (Fuel Oil Changeover, So_x Compliance, and Equivalents) Instrument

MPTI-199-2/1

This marine protection transport instrument is made by the Director of Maritime New Zealand under section 452B of the Maritime Transport Act 1994 (the Act), after being satisfied that—

(a) rules 199.22(2), 199.103(3), 199.403(3), and 199.604(2) of Part 199 provide for the matters in this marine protection transport instrument to be dealt with in a marine protection transport instrument; and

(b) appropriate consultation has been carried out in accordance with section 452C of the Act.

Section 1 Preliminary provisions

1.1 Title

This marine protection transport instrument is the *Marine Protection Transport (Fuel oil changeover, SO_x compliance, and equivalents) Instrument* (also referred to as MPTI-199-2/1).

1.2 Commencement

This marine protection transport instrument comes into force on 21 September 2026.

in-force date is indicative only

1.3 What this marine protection transport instrument does

(1) This marine protection transport instrument (MPTI-199-2/1)—

(a) specifies equivalents for New Zealand ships as provided for under rule 199.22(2) for the purposes of rules 199.103 and 199.403; and

(b) prescribes requirements relating to the operation of any equivalent or foreign equivalent, as provided for,—

(i) for New Zealand ships, in rules 199.103(3) and 199.403(3); and

(ii) for foreign ships, in rule 199.604(2).

(2) This marine protection transport instrument sets out the requirements relating to or associated with the use of any equivalent or foreign equivalent, including, but not limited to—

(a) the circumstances in which an equivalent may be used; and

(b) the use of exhaust gas cleaning systems; and

(c) the circumstances in which fuel oil changeovers may be undertaken; and

(d) the procedures and processes, including record keeping and notifications, required to use an equivalent.

1.4 Conflicts

(1) If there is a conflict between a provision in this marine protection transport instrument and a corresponding provision of a marine protection rule, the provision of the marine protection rule applies.

(2) If there is a conflict between a provision in this marine protection transport instrument and a corresponding provision of material incorporated by reference in this marine protection transport instrument, the provision of this marine protection transport instrument applies.

Section 2 Definitions

2.1 Definitions

(1) All terms used in this marine protection transport instrument and defined in Part 199 but not defined in this marine protection transport instrument have the same meaning as set out in Part 199.

(2) For the purposes of this marine protection transport instrument, unless the context otherwise requires,—

fuel oil changeover means the entire process, from beginning to end, of changing fuel oil that is supplied to an engine on a ship from a compliant fuel oil to a high sulphur fuel oil, or vice versa:

compliant fuel oil means a fuel oil that complies with regulation 14.1 of Annex VI:

discharge water means any water from an EGCS to be discharged overboard:

EGCS residue, in relation to an EGCS used in zero discharge operating mode on a ship,—

(a) has the same meaning as in clause 2.1.1.4 of guidelines developed by the IMO titled *Guidelines For Risk And Impact Assessments Of The Discharge Water From Exhaust Gas Cleaning Systems*; and

(b) is an Annex VI substance referred to in rule 199.24(e) and (f):

equivalent, in relation to a New Zealand ship, means an equivalent to any fitting, material, appliance, or apparatus to be fitted in a ship or other procedures, alternative fuel oils, or compliance methods used as an alternative to that required by 199.102 or 199.402:

EGCS means exhaust gas cleaning system:

exhaust gas cleaning system means a system designed to remove or reduce sulphur oxides (SO_x) from a ship's exhaust gases:

foreign equivalent, in relation to a foreign ship, means an approval, including any terms and conditions that attach to that approval, from the Administration of that ship's flag State in accordance with Annex VI by the flag State of the foreign ship so far as it provides an exception to regulation 14.1 of Annex VI for the sulphur content of fuel oil used by the ship:

high sulphur fuel oil means a fuel oil that does not comply with regulation 14.1 of Annex VI:

HSFO means high sulphur fuel oil:

New Zealand jurisdiction means—

(a) the internal waters of New Zealand; and

(b) the territorial sea of New Zealand; and

(c) the exclusive economic zone of New Zealand; and

(d) those waters under or about any ship or offshore installation constructed, erected, placed or used in, on, or above the continental shelf of New Zealand but beyond the outer limits of the exclusive economic zone of New Zealand in connection with the exploration of the continental shelf or the exploitation of its natural resources:

port has the meaning set out in section 2 of the Act:

washwater, in relation to an EGCS used on a ship, means cleaning medium brought into contact with the exhaust stream for the reduction of SO_x:

zero discharge operating mode, in relation to an EGCS on a ship, means the use of that system such that no discharge water or EGCS residue is discharged from the ship into the marine environment from the use of that system.

Section 3 Application

3.1 Application of marine protection transport instrument MPTI-199-2/1

This marine protection transport instrument applies as set out in the various sections and subsections of this instrument.

Section 4 Incorporation by reference

4.1 Materials incorporated by reference in this instrument

Guidelines developed by the IMO titled *Guidelines For Risk And Impact Assessments Of The Discharge Water From Exhaust Gas Cleaning Systems*

Section 5 General compliance

(1) This Section applies to the owner and the master of a ship for which an equivalent or a foreign equivalent is, or is intended to be, relied on as provided for in rule 199.103, 199.403, or 199.604.

(2) The owner and the master must ensure,—

(a) for any ship, the applicable requirements in this instrument are complied with; and

(b) for a foreign ship in New Zealand jurisdiction, the terms and conditions of the foreign equivalent are complied with.

(3) For a foreign ship, where subclause (2) of Section 6 is not complied with—

(a) the foreign equivalent referred to in rule 199.604 ceases to have effect in the territorial sea of New Zealand; and

(b) rule 199.402 will apply to that ship in accordance with rule 199.603(1)(c).

(4) For a New Zealand ship, where subclause (2)(a) of Section 5 is not complied with—

(a) the equivalent referred to in rule 199.103 or 199.403, as applicable, ceases to have effect; and

(b) rule 199.102 or 199.402, as applicable, will apply to that ship.

Section 6 Operational requirements for EGCS

(1) This section applies to the owner and the master of a ship on which EGCS is used or intended to be used.

(2) The owner and the master must ensure the EGCS, when used within the territorial sea of New Zealand, is operated only in zero discharge operating mode.

(3) The owner and the master must ensure the ship's position when the EGCS begins, and when it ceases, operating in zero discharge mode must be recorded in the ship's log book.

The consequence of Section 6(2) and Section 8(2) is that a ship may use an EGCS in the territorial sea of New Zealand but on the condition that it is used only in zero discharge mode and that no fuel oil changeover takes place within the territorial sea of New Zealand

Alternative option for consultation

The alternative option for consultation is that subclause (2) above permits EGCS to be operated in any mode in the territorial sea of New Zealand but, when it is moored, the EGCS must be operated in zero discharge mode. For this option, if the ship cannot operate the EGCS in zero discharge mode when moored, it must change over fuel oil before entering the territorial sea

Refer to the note box under subclause (2) of Section 8 below for the additional fuel oil changeover requirements for this alternative option

Submissions are sought on these options

Section 7 Equivalents - New Zealand ships

There are currently no equivalents approved for New Zealand ships and this MPTI does not provide any for them

Section 8 Fuel oil changeover requirements – foreign ships

(1) This section applies to a foreign ship for which an EGCS is operated under a foreign equivalent.

(2) The owner and the master of the ship must ensure—

(a) no fuel oil changeover, either partially or wholly, takes place within the territorial sea of New Zealand; and

(b) no flushing of the fuel system, as a result of the fuel oil changeover, occurs within the territorial sea of New Zealand.

If any fuel oil changeover is needed to comply with the alternative option being consulted on in section 6(2) of this MPTI (zero discharge when moored), the fuel oil changeover must only occur outside the territorial sea.

Submissions are sought on these options

(3) The owner and the master of the ship must ensure the ship, when the ship is within a port in New Zealand jurisdiction, carries a written procedure—

(a) showing how the fuel oil changeover is to be done; and

(b) allowing sufficient time for any fuel oil changeover to be completed prior to entry into the territorial sea of New Zealand.

(5) The owner and the master of the ship must ensure, when the ship is within a port in New Zealand jurisdiction, the log book is kept on board the ship.

(6) The owner and the master of the ship must ensure the date, time, and position of the ship is recorded in the log book at the following times:

(a) when the fuel oil changeover is completed before the ship enters the territorial sea of New Zealand:

(b) when the fuel oil changeover is commenced after the ship leaves the territorial sea of New Zealand (except any foreign ship that commences this operation after it leaves New Zealand jurisdiction).

Amendments relating to RAP 3 – Part 199 Energy Efficiency

Amendments to Part 199: Prevention of air pollution from ships

Part objective

The objective of Part 199 is to provide rules for controlling the nature and quantity of air pollution caused by shipping, including exhaust emissions from the combustion of fuel oils and incineration of matter within the marine environment.

Part 199 gives effect to the provisions of Annex VI of the International Convention for the Prevention of Pollution from Ships 1973, as modified from time to time (MARPOL).

MARPOL Annex VI, "Regulations for the Prevention of Air Pollution from Ships", imposes controls on—

(a) emissions of ozone depleting substances ("ODS"), nitrogen oxides ("NO_x"), sulphur oxides ("SO_x") and volatile organic compounds ("VOC") from ships; and

(b) shipboard incineration; and

(c) the quality of fuel oil used on board; and

(d) carbon intensity of shipping.

To ensure compliance with the above controls, the rules require,

- for ships engaging in international voyages
    - ships of 400 gross tonnage or above to have an International Air Pollution Prevention Certificate (IAPP certificate) and an International Energy Efficiency Certificate (IEE certificate), ~~or~~
    - ships under 400 gross tonnage that are under a survey regime to have an Annex VI endorsement
- for ships engaging only in domestic voyages
    - ships of 400 gross tonnage or above, or under 400 gross tonnage that are under a survey regime, to have an Annex VI endorsement (for example on a Certificate of Survey for a ship if it is in MOSS) verifying compliance with Annex VI, ~~or~~

    o ships of 400 gross tonnage or above, the Director may make marine protection transport instruments to impose requirements aligning with Annex VI carbon intensity standards,

    - ships 400 gross tonnage or ~~more~~ above alternatively to have IAPP and IEE certificates.

Surveys of ships are conducted, and ship fuel oil consumption and carbon intensity data for ships of 5,000 gross tonnage or above is collected and reported, to monitor compliance.

The authority for Part 199 is found in sections 386(1), 387(1)(a), (b), (c), (h), (i), and (j), 387(3), 387(5), 388(d), (e), (h), (j), and (o), 390(1)(e) and (f), and 451, 452, 452A, and 452B, of the Maritime Transport Act 1994 (the Act).

Marine Protection Rules (rules) are secondary legislation under the Legislation Act 2019. Under that Act, the rules are required to be presented to the House of Representatives. The House may, by resolution, disallow any rule. The Regulations Review Committee is the select committee responsible for examining all secondary legislation and may consider any matter relating to secondary legislation and report on it to the House. Anyone can make a complaint to the Regulations Review Committee about the operation of secondary legislation.

~~Marine Protection Rules (rules) are secondary legislation under the Legislation Act 2019. Under that Act, the rules are required to be tabled in the House of Representatives. The House of~~

~~Representatives may, by resolution, disallow any rule. The Regulations Review Committee is the select committee responsible for considering the rules under that Act.~~

A marine protection transport instrument made under a rule in this Part is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

...

Section C1 Ship certification

Certification assuring compliance with Subpart C

199.340 Application of rules 199.341 to 199.342

(1) This section applies to any of the following ships:

(a) in respect of certification and survey relating to the requirements under sections C2 to C7:

(i) a New Zealand ship that is 400 gross tonnage or more engaged in a domestic voyage:

(ii) a New Zealand platform to which section B1 does not apply and that is not a foreign ship:

(iii) a platform that is in New Zealand jurisdiction and that is not a foreign ship:

(iv) a New Zealand ship that is less than 400 gross tonnage engaged in a domestic voyage and for which a Certificate of Survey, New Zealand Barge Safety Certificate, or certificate of fitness under Part 40G is required to be held:

(b) in respect of certification and survey relating to the requirements under sections C8 to C10, including in any marine protection transport instrument, a ship that is 400 gross tonnage or more engaged in a domestic voyage; but excludes a ship not propelled by mechanical means.

(2) The application in subrule (1) is subject to any further limitation of applicability in each section or rule in sections C2 to C10 and any marine protection transport instrument relating to those sections.

199.342 Annex VI endorsement requirements

(1) The owner of a ship to which rule 199.341(1)(b) or rule 199.341(1A) applies must ensure that—

(a) the ship has been surveyed in accordance with the survey schedule in regulation 5 of Annex VI; and

(b) the survey plan referred to in rule 19.43(1), where applicable, includes the survey requirements in subrule (a) and Subpart G of this Part; and

(c) ~~the~~any applicable requirements in sections C2 to C10 of this Part are complied with.

> no applicable requirements will exist after these amendments, until the Director makes an instrument for CI

(2) The owner of the ship must ensure the surveys required in subrule (1) are conducted—

(a) for a ship that is 400 gross tonnage or more by a surveyor; and

(b) for a ship that is less than 400 gross tonnage, by a surveyor or holder of a Certificate of Surveyor Recognition issued under rule 44.22; and

(c) in accordance with the survey plan, as applicable.

(3) The owner of the ship must ensure the Annex VI endorsement is displayed or otherwise made available as follows:

(a) for a ship for which a Certificate of Survey is required to be displayed under rule 19.65—

(i) the Annex VI endorsement is listed, including the date of endorsement, on the Certificate of Survey; and

(ii) the record of the Annex VI endorsement, signed by the endorser, is made available for inspection by the Director, if requested:

(b) for a ship for which a New Zealand Barge Safety Certificate is required to be held and retained under rule 46.24—

(i) the Annex VI endorsement is listed on the New Zealand Barge Safety Certificate; or

(ii) the record of the Annex VI endorsement, signed by the endorser, is made available for inspection by the Director, if requested:

(c) for any other ship, the details of the Annex VI endorsement must be made available for inspection by the Director, if requested.

(4) For the purposes of subrules (1)(a) and (b)—

(a) for a marine diesel engine to which subsection C3A applies, the survey requirements in regulation 5.3.2 of Annex VI do not apply; and

(b) for a ship that is less than 400 gross tonnage, regulation 5.1.4 of Annex VI does not apply.

Section C8 Carbon intensity of domestic shipping

199.480 Purpose

The purpose of this section is to reduce the carbon intensity of New Zealand's domestic shipping.

199.481 Application of section C8

Except as otherwise further limited by the application specified in ~~each subsection of this section~~ any marine protection transport instrument relating to section C8, this section applies to a New Zealand ship that is 400 gross tonnage or more engaged in a domestic voyage.

199.481A Carbon intensity requirements

(1) The owner must ensure that the carbon intensity requirements in any applicable marine protection transport instrument are complied with.

(2) For the purposes of subrule (1), a marine protection transport instrument may prescribe carbon intensity requirements for ships to which subrule (1) applies as specified in accordance with rule 199.481.

there is currently no proposed MPTI

199.482 Definitions of terms used in section C8

In this section:

~~**Antarctic area** means the sea area south of latitude 60° S:~~

~~**Arctic waters** means those waters which are located north of a line from the latitude 58º00′.0 N and longitude 042º00′.0 W to latitude 64º37′.0 N, longitude 035º27′.0 W and thence by a rhumb line to latitude 67º03′.9 N, longitude 026º33′.4 W and thence by a rhumb line to the latitude 70º49′.56 N and longitude 008º59′.61 W (Sørkapp, Jan Mayen) and by the southern shore of Jan Mayen to 73º31'.6 N and 019º01'.0 E by the Island of Bjørnøya, and thence by a great circle line to the latitude 68º38′.29 N and longitude 043º23′.08 E (Cap Kanin Nos) and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering~~

~~Strait westward to latitude 60º N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60º N and thence eastward along parallel of latitude 60º N, to longitude 056º37´.1 W and thence to the latitude 58º00´.0 N, longitude 042º00´.0 W:~~

~~**Attained Annual Operational CII** means the operational carbon intensity indicator value achieved in respect of an individual ship in accordance with rule 199.488:~~

Attained EEDI means the Energy Efficiency Design Index value achieved in respect of an individual ship in accordance with rule 199.484:

Attained EEXI means the Energy Efficiency Existing Ship Index value achieved in respect of an individual ship in accordance with rule 199.486:

~~**bulk carrier** has the meaning set out in regulation 2 of Annex VI:~~

~~**carbon intensity ship** means any of the following ships:~~

~~(a) a bulk carrier:~~

~~(b) a gas carrier:~~

~~(c) a tanker:~~

~~(d) a container ship:~~

~~(e) a general cargo ship:~~

~~(f) a refrigerated cargo carrier:~~

~~(g) a combination carrier:~~

~~(h) a ro-ro cargo ship (vehicle carrier):~~

~~(i) a ro-ro cargo ship:~~

~~(j) a ro-ro passenger ship:~~

~~(k) an LNG carrier:~~

~~(l) a cruise passenger ship:~~

~~**category A ship** has the meaning set out in the Polar Code:~~

~~**combination carrier** has the meaning set out in regulation 2 of Annex VI:~~

~~**container** ship has the meaning set out in regulation 2 of Annex VI:~~

~~**conventional propulsion**, in relation to a ship, means a method of propulsion of the ship where a main reciprocating internal combustion engine is the prime mover and coupled to a propulsion shaft either directly or through a gear box:~~

~~**cruise passenger ship** has the meaning set out in regulation 2 of Annex VI:~~

~~**gas carrier** has the meaning set out in regulation 2 of Annex VI:~~

~~**general cargo ship** has the meaning set out in regulation 2 of Annex VI:~~

~~**LNG carrier** has the meaning set out in regulation 2 of Annex VI:~~

~~**major conversion** has the meaning set out in regulation 2 of Annex VI:~~

~~**non-conventional propulsion**, in relation to a ship, means a method of propulsion of the ship, other than conventional propulsion, including diesel-electric propulsion, turbine propulsion, and hybrid propulsion systems:~~

~~**passenger ship** has the meaning set out in regulation 2 of Annex VI:~~

~~**Polar Code** has the meaning set out in regulation 2 of Annex VI:~~

~~**polar waters** means any of the following:~~

~~(a) Arctic waters:~~

~~(b) the Antarctic area:~~

~~**refrigerated cargo carrier** has the meaning set out in regulation 2 of Annex VI:~~

~~**Required Annual Operational CII** means the target value of Attained Annual Operational CII in accordance with rule 199.489 for the specific ship type and size:~~

~~**Required EEDI** means the maximum value of Attained EEDI that is permitted under rule 199.484 for a specific ship type and size:~~

~~**Required EEXI** means the maximum value of attained EEXI that is permitted under rule 199.486 for the specific ship type and size:~~

~~**ro-ro cargo ship** has the meaning set out in regulation 2 of Annex VI:~~

~~**ro-ro cargo ship (vehicle carrier)** has the meaning set out in regulation 2 of Annex VI:~~

~~**ro-ro passenger ship** has the meaning set out in regulation 2 of Annex VI:~~

~~**SEEMP** means the Ship Energy Efficiency Management Plan required under rule 199.501:~~

~~**ship delivered on or after 1 September 2019** has the meaning set out in regulation 2 of Annex VI:~~

~~**tanker** has the meaning set out in regulation 2 of Annex VI.~~

Subsection C8A Energy efficiency design index

199.483 Reserved ~~Application of subsection C8A~~

~~(1) This subsection applies to a passenger ship or a carbon intensity ship that is a New Zealand ship that is 400 gross tonnage or more and engaged in a domestic voyage that is any of the following:~~

~~(a) a ship—~~

~~(i) for which the building contract is placed on or after 1 January 2017; or~~

~~(ii) in the absence of a building contract, constructed on or after 1 July 2017; or~~

~~(iii) the delivery of which is on or after 1 July 2019:~~

~~(b) a ship that has undergone a major conversion on or after the date this rule 199.483 comes into force that is so extensive it is regarded by the Director as a newly constructed ship:~~

~~(c) a ship with non-conventional propulsion that is delivered on or after 1 September 2019 that is—~~

~~(i) a cruise passenger ship; or~~

~~(ii) an LNG carrier.~~

~~(2) Other than in subrule (1)(c), this subsection does not apply to a ship with non- conventional propulsion.~~

~~(3) This subsection does not apply to any of the following ships:~~

~~(a) a ship not propelled by mechanical means:~~

~~(b) a category A ship.~~

199.484 Attained energy efficiency design index

(1) The owner and the master of a ship must ensure that the Attained EEDI requirements in any applicable marine protection transport instrument are complied with.

(2) For the purposes of subrule (1), a marine protection transport instrument may prescribe Attained EEDI requirements for ships to which subrule (1) applies as specified in accordance with rule 199.481.

there is currently no proposed MPTI

~~(1) The owner and the master of a ship must ensure an Attained EEDI is calculated at the following times, as applicable:~~

~~(a) for a ship—~~

~~(i) that is a New Zealand ship on the day before this rule 199.484 comes into force, upon the scheduled time specified in Schedule 1.2.3(2); or~~

~~(ii) that becomes a New Zealand ship on or after the date this rule 199.484 comes into force, before the ship operates as a New Zealand ship:~~

~~(b) upon a major conversion of the ship.~~

~~(2) The owner and the master of a ship must ensure an Attained EEDI—~~

~~(a) is calculated for the ship in accordance with regulation 22 and, where the ship is a carbon intensity ship, regulation 24 of Annex VI, taking into account guidelines developed by the IMO titled *Guidelines On The Method Of Calculation Of The Attained Energy Efficiency Design Index (EEDI) for new ships*; and~~

~~(b) meets the standards and requirements in Annex VI; and~~

~~(c) is accompanied by the EEDI technical file in accordance with regulation 22.1 of Annex VI; and~~

~~(d) is verified by the Director.~~

~~(3) The Director must verify the Attained EEDI under subrule (2)(d) in accordance with regulation 22 and, where the ship is a carbon intensity ship, regulation 24 of Annex VI.~~

~~(4) The Attained EEDI must be calculated for each ship at the following times:~~

~~(a) at the survey identified in regulations 5.4.1, 5.4.2, and 5.4.3 of Annex VI, as applicable:~~

~~(b) after a ship has undergone a major conversion, in accordance with regulation 5.4.3 of Annex VI.~~

~~(5) Where the ship is a carbon intensity ship, the Attained EEDI of a ship must be less than or equal to the Required EEDI of the ship calculated in accordance with regulation 24 of Annex VI and according to the reference line values and the reduction factors that are applicable to the ship as specified in that regulation.~~

Subsection C8B Energy efficiency existing ship index

199.485 Reserved ~~Application of subsection C8B~~

~~(1) This subsection applies to a carbon intensity ship that is a New Zealand ship that is 400 gross tonnage or more engaged in a domestic voyage.~~

~~(2) This subsection also applies to a ship in subrule (1) that has undergone a major conversion on or after the date this subsection comes into force.~~

~~(3) This subsection also applies to a ship in subrule (1) with non-conventional propulsion that is—~~

~~(a) a cruise passenger ship; or~~

~~(b) an LNG carrier.~~

~~(4) Other than in subrule (3), this subsection does not apply to a ship with non- conventional propulsion.~~

~~(5) This subsection does not apply to any of the following ships:~~

~~(a) a ship not propelled by mechanical means:~~

~~(b) a category A ship.~~

199.486 Attained energy efficiency existing ship index

(1) The owner and the master of a ship must ensure that the Attained EEXI requirements in any applicable marine protection transport instrument are complied with.

(2) For the purposes of subrule (1), a marine protection transport instrument may prescribe Attained EEXI requirements for ships to which subrule (1) applies as specified in accordance with rule 199.481.

there is currently no proposed MPTI

~~(1) The owner and the master of a ship must ensure an Attained EEXI is calculated at the following times, as applicable:~~

~~(a) for a ship—~~

~~(i) that is a New Zealand ship on 1 January 2023, upon the scheduled time specified in Schedule 1.2.5(2); or~~

~~(ii) that becomes a New Zealand ship after 1 January 2023, before the ship operates as a New Zealand ship:~~

~~(b) upon a major conversion of the ship.~~

~~(2) Subject to subrule (5), the owner and the master of a ship must ensure an Attained EEXI—~~

~~(a) is calculated for the ship in accordance with regulations 23 and 25 of Annex VI, taking into account guidelines developed by the IMO titled *Guidelines On The Method Of Calculation Of The Attained Energy Efficiency Existing Ship Index (EEXI)*; and~~

~~(b) meets the standards and requirements in Annex VI; and~~

~~(c) is accompanied by the EEXI technical file in accordance with regulation 23.1 of Annex VI; and~~

~~(d) is verified by the Director.~~

~~(3) The Director must verify the Attained EEXI under subrule (2)(d) in accordance with regulation 23 of Annex VI.~~

~~(4) The Attained EEXI must be verified—~~

~~(a) at the intermediate, or renewal survey identified in regulation 5.1 of Annex VI or the initial survey identified in regulation 5.4.1 and 5.4.3 of Annex VI, whichever is the first, on or after the date this subsection comes into force, in accordance with regulation 5.4.7 of Annex VI; and~~

~~(b) at the general or partial survey, according to the circumstances, after a ship has undergone a major conversion, in accordance with regulation 5.4.8 of Annex VI.~~

~~(5) For a ship to which subsection C8A applies, the verified Attained EEDI may be taken as the Attained EEXI if the value of the Attained EEDI is equal to or less than that of the Required EEXI, in accordance with regulation 23 of Annex VI.~~

Subsection C8C Operational carbon intensity

199.487 Reserved ~~Application of subsection C8C~~

~~(1) subsection applies to a carbon intensity ship that is a New Zealand ship that is 5,000 gross tonnage or more engaged in a domestic voyage.~~

~~(2) This subsection does not apply to any of the following ships:~~

~~(a) a ship not propelled by mechanical means:~~

~~(b) a category A ship.~~

199.488 ~~Attained annual~~ ~~o~~Operational carbon intensity requirements ~~indicator~~

(1) The owner and the master of a ship must ensure that the operational carbon intensity requirements in any applicable marine protection transport instrument are complied with.

(2) For the purposes of subrule (1), a marine protection transport instrument may prescribe operational carbon intensity requirements for ships to which subrule (1) applies as specified in accordance with rule 199.481.

there is currently no proposed MPTI

~~(1) The owner and the master of a ship must ensure an Attained Annual Operational CII—~~

~~(a) is calculated for the ship in accordance with regulation 28 of Annex VI, taking into account guidelines developed by the IMO titled as follows:~~

~~(i) *Guidelines On Operational Carbon Intensity Indicators And The Calculation Methods*:~~

~~(Ii) *Guidelines On The Reference Lines For Use With Operational Carbon Intensity Indicators*:~~

~~(Iii) *Guidelines On The Operational Carbon Intensity Reduction Factors Relative To Reference Lines*:~~

~~(Iv) *Guidelines On The Operational Carbon Intensity Rating Of Ships*; and~~

~~(b) meets the standards and requirements in Annex VI; and~~

~~(c) is verified by the Director.~~

~~(2) The Director must verify the Attained Annual Operational CII under subrule (1)(c) in accordance with regulation 6.6 of Annex VI.~~

~~(3) The Attained Annual Operational CII must be calculated, and reported to the Director, for each ship—~~

~~(a) from the initial time specified in Schedule 1.2.6(2), before the end of March of each calendar year; or~~

~~(b) in the event of a transfer of the ship addressed in regulations 27.4, 27.5, or 27.6 of Annex VI, at the times in accordance with regulation 28 of Annex VI.~~

~~**199.489 Operational carbon intensity rating**~~

~~(1) For each ship, and upon receipt of all the appropriate data and information required to do so, the Director must verify the operational carbon intensity rating for the ship in accordance with regulation 28.6 of Annex VI.~~

~~(2) If the rating verified under subrule (1) is such that a corrective action plan is required in accordance with regulation 28.7 of Annex VI, the owner and the master of the ship to which the rating relates to must—~~

~~(a) develop a plan of corrective actions to achieve the Required Annual Operational CII; and~~

~~(b) review the SEEMP for the ship to include the plan of corrective actions; and~~

~~(c) submit the reviewed SEEMP to the Director in accordance with regulation 28.8 of Annex VI.~~

~~(3) The owner and the master must undertake the planned corrective actions in accordance with the updated SEEMP and regulation 28.9 of Annex VI.~~

199.489~~490~~ to 199.499 Reserved

Section C9 Ship energy efficiency management plan

199.500 Application of section C9

(1) Except as otherwise further limited by the application specified in any marine protection transport instrument relating to section C9, ~~T~~this section applies to a New Zealand ship that is 400 gross tonnage or more engaged in a domestic voyage.

(2) This section does not apply to a ship not propelled by mechanical means.

199.501 Ship Energy Efficiency Management Plan

(1) The owner and the master of a ship must ensure that the Ship Energy Efficiency Management Plan requirements in any applicable marine protection transport instrument are complied with.

(2) For the purposes of subrule (1), a marine protection transport instrument may prescribe Ship Energy Efficiency Management Plan requirements for ships to which subrule (1) applies as specified in accordance with rule 199.500.

there is currently no proposed MPTI

~~(1) The owner and the master of a ship must ensure a Ship Energy Efficiency Management Plan is prepared for the ship in accordance with regulation 26 of Annex VI, taking into account the guidelines developed by the IMO titled *Guidelines For The Development Of A Ship Energy Efficiency Management Plan (SEEMP)*.~~

~~(2) The owner and the master of a ship that is 5,000 gross tonnage or more must ensure the Ship Energy Efficiency Management Plan includes—~~

~~(a) a description of the methodology to be used to collect the data required by regulation 27.1 of Annex VI and the format and processes to be used to report the data to the Director in accordance with regulation 27 of Annex VI; and~~

~~(b) for a ship to which subsection C8C applies—~~

~~(i) a description of the methodology to be used to calculate the ship's Attained Annual Operational CII required by regulation 28 of Annex VI and the processes to be used to report this value to the Director in accordance with regulation 26.3 of Annex VI; and~~

~~(ii) the Required Annual Operational CII for the next 3 years, as specified in regulation 28 of Annex VI; and~~

~~(iii) an implementation plan documenting how the Required Annual Operational CII will be achieved during the next 3 years; and~~

~~(iv) a procedure for self-evaluation and improvement.~~

~~(3) The owner and the master of a ship must ensure the Ship Energy Efficiency Management Plan prepared for the ship is complied with.~~

~~(4) The owner and the master of a ship to which section C10 applies must ensure the Ship Energy Efficiency Management Plan is verified by the Director in accordance with regulation 5.4.5 of Annex VI.~~

~~(4A) The owner and the master of a ship to which section C8C applies must ensure the Ship Energy Efficiency Management Plan is verified by the Director in accordance with regulation 5.4.6 of Annex VI.~~

~~(5) The Ship Energy Efficiency Management Plan must be held from the following time:~~

~~(a) for a ship to which subrule (2) applies that is a New Zealand ship on the date this rule 199.501 comes into force, upon the scheduled time specified in Schedule 1.2.4(2):~~

~~(b) for any other New Zealand ship, upon the first survey in accordance with the applicable survey schedule specified in regulations 5 and 26 of Annex VI.~~

~~**199.502 Retention of Ship Energy Efficiency Management Plan**~~

~~(1) The owner and the master must ensure the Ship Energy Efficiency Management Plan is kept on board the ship.~~

~~(2) The Ship Energy Efficiency Management Plan must be placed on board the ship in accordance with regulation 5.4.4 of Annex VI.~~

199.502~~503~~ to 199.519 Reserved

Section C10 Collecting and reporting ship fuel oil consumption data

199.520 Application of section C10

(1) Except as otherwise further limited by the application specified in any marine protection transport instrument relating to section C10, ~~T~~this section applies to a New Zealand ship that is 5,000 gross tonnage or more engaged in a domestic voyage.

(2) This section does not apply to a ship not propelled by mechanical means.

199.521 Definitions of terms used in section C10

In this section:

consumption data, in relation to a ship, means the data specified in Appendix IX of Annex VI relevant to that ship, other than the identification data:

identification data, in relation to a ship, means the data specified in Appendix IX of Annex VI for identifying the ship.

...

199.522 Collection, reporting, and retention of ship fuel oil consumption data

(1) The owner and the master of a ship must ensure that the collecting and reporting of ship fuel oil consumption data requirements in any applicable marine protection transport instrument are complied with.

(2) For the purposes of subrule (1), a marine protection transport instrument may prescribe collecting and reporting of ship fuel oil consumption data requirements for ships to which subrule (1) applies as specified in accordance with rule 199.520.

there is currently no proposed MPTI

~~(1) The owner of a ship must collect the consumption data relevant to the ship in accordance with the methodology specified in the Ship Energy Efficiency Management Plan required for that ship under rule 199.501(2).~~

~~(2) The consumption data must be collected under subrule (1) for each year or part of a year, as appropriate, in accordance with the methodology included in the Ship Energy Efficiency Management Plan.~~

~~(3) The owner must submit the consumption data, together with the identification data, to the Director in accordance with—~~

~~(a) the ship's Ship Energy Efficiency Management Plan; and~~

~~(b) the additional reporting requirements in Schedule 4.~~

~~(4) The owner must ensure the disaggregated consumption data of the ship that underlies the consumption data reported under subrule (3) for the previous calendar year is—~~

~~(a) readily accessible for a period of not less than 12 months from the end of that calendar year; and~~

~~(b) be made available to the Director upon request.~~

~~199.523 Verification of data~~

~~Upon receipt of the data submitted under rule 199.522(3) the Director must—~~

~~(a) determine whether the data has been reported in accordance with regulations 6.6 and 6.7 of Annex VI; and~~

~~(b) verify the data in accordance with regulation 27 of Annex VI.~~

~~199.524 Statement of Compliance~~

~~(1) Upon receipt of—~~

~~(a) the data submitted under rule 199.522(3) in accordance regulation 27 of Annex VI; and~~

~~(b) the Attained Annual Operational CII in accordance regulation 28.2 of Annex VI—~~

~~the Director must, if satisfied all requirements relating to the data and the Attained Annual Operational CII are complied with, issue a Statement of Compliance relating to the fuel oil consumption and operational carbon intensity rating of the ship in accordance with regulation 6 of Annex VI.~~

~~(2) The Statement of Compliance must be drawn up in accordance with the form in Appendix X of Annex VI.~~

~~(3) The Statement of Compliance is valid for the applicable period specified in regulation 9.12 of Annex VI.~~

~~(4) A Statement of Compliance is not a marine protection document for the purposes of the Act.~~

~~199.525 Statement of Compliance to be kept on board ship~~

~~(1) The owner and the master of the ship to which the Statement of Compliance relates must ensure that it is kept on board that ship during the period that the Statement of Compliance is valid but, in any event, for at least 5 years.~~

~~(2) The Statement of Compliance must be held from the following time:~~

~~(a) for a ship that is a New Zealand ship on the date this rule 199.525 comes into force, upon the scheduled time specified in Schedule 1.2.7(2):~~

~~(b) for any other New Zealand ship, upon the first survey in accordance with the applicable survey schedule specified in regulation 6 of Annex VI.~~

199.523~~526~~ to 199.599 Reserved

....

Subpart G Surveyors

...

199.681 Surveyor responsibilities

(1) A surveyor who undertakes a survey in relation to an IAPP certificate or an IEE certificate under this Part must conduct the survey in accordance with the requirements in regulations 5 and 6 of Annex VI, including, as applicable:

(a) for an initial survey, in accordance with regulation 5.1.1 of Annex VI:

(b) for a renewal survey, in accordance with regulation 5.1.2 of Annex VI:

(c) for an intermediate survey, in accordance with regulation 5.1.3 of Annex VI:

(d) for an annual survey, in accordance with regulation 5.1.4 of Annex VI:

(e) for an additional survey, in accordance with regulation 5.1.5 of Annex VI:

(f) for the survey of marine diesel engines and equipment for compliance with regulation 13 of Annex VI, in accordance with regulation 5.3.2 of Annex VI.

(2) A surveyor who is satisfied following completion of an annual, intermediate, or additional survey of a ship, in accordance with regulations 5 and 6 of Annex VI that the applicable requirements of those regulations are met, must endorse the relevant certificate to that effect.

(3) When conducting a survey under this Part, if the surveyor (or person who holds a Certificate of Surveyor Recognition issued under rule 44.22, as applicable) determines that the condition of equipment does not correspond substantially with the particulars of the relevant certificate, the surveyor (or person who holds a Certificate of Surveyor Recognition issued under rule 44.22, as applicable) must—

(a) ensure that corrective action is taken in accordance with regulation 5.3.3 of Annex VI; and

(b) notify the Director.

(4) Where the surveyor undertakes a survey of a ship to which section B8, B9, or B10 applies ~~or~~, or a ship to which a marine protection transport instrument made under section C8, C9, or C10 applies, the surveyor must—

(a) for an initial survey, before the issue of an IEE certificate, or before an Annex VI endorsement is made in respect of the ship, verify—

(i) where subsection B8A or C8A applies, the ship's attained EEDI in accordance with regulation 5.4.1 of Annex VI; and

(ii) where subsection B8B or C8B applies, the ship's attained EEXI in accordance with regulation 5.4.7 of Annex VI; and

(b) for a general or partial survey after a major conversion of a ship to which rule 199.183(1) or 199.483(1) applies, ensure the attained EEDI is recalculated as necessary and meets the requirements in regulation 24 of Annex VI, in accordance with regulation 5.4.1 of Annex VI; and

(c) for a survey after a major conversion of an existing ship, where the conversion is so extensive that the Director determines the ship is as a newly constructed ship and is required to undergo an initial survey, conduct an initial survey to—

(i) where subsection B8A or C8A applies, ensure the attained EEDI is calculated and meets the requirements in regulation 22 of Annex VI, in accordance with regulation 5.4.1 of Annex VI; and

(ii) where subsection B8B or C8B applies, ensure the attained EEXI is calculated and meets the requirements in regulation 23 and 25 of Annex VI, in accordance with regulation 5.4.7 of Annex VI; and

(iii) verify the ship's SEEMP is on board and has been revised appropriately, in accordance with regulation 5.4.1 of Annex VI; and

(d) when conducting a survey on a ship that has had an initial survey before the date this rule 199.681 comes into force, at the first intermediate or renewal survey on or after 1 January 2023, verify the ship's SEEMP—

(i) is on board, in accordance with regulation 5.4.4 of Annex VI; and

(ii) for a ship to which section B10 or C10 applies, complies with regulations 26.2 and 26.3 of Annex VI; and

(e) when conducting a survey on a ship that has had an initial survey before the date this rule 199.681 comes into force, verify the ship's attained EEXI in accordance with regulation 5.4.7 of Annex VI as follows:

(i) for a ship to which rule 199.186(4) is applicable, at the first annual, intermediate, or renewal survey on or after 1 January 2023:

(ii) for a ship to which rule 199.486(4) is applicable, at the first intermediate, or renewal survey on or after 1 January 2023; and

(f) for a general or partial survey after a major conversion of a ship to which subsection B8B or C8B applies, ensure the attained EEXI is recalculated as necessary and meets the requirements in regulation 25 of Annex VI, in accordance with regulation 5.4.8 of Annex VI.

(5) A surveyor who undertakes a survey in relation to an Annex VI endorsement under this Part must conduct the survey in accordance with rule 199.57 or 199.342 as applicable.

[Rule 199.5]

SCHEDULE 1 Transitional, consequential, and related provisions

...

Schedule 1.2 Transitions

Transitional provisions relating to certificates

1.2.1 This Schedule applies only to ships that exist, and to which Part 199 applies, on the date this Schedule 1.2 comes into force.

1.2.2 The following are not required to be held until the first intermediate or renewal survey after 1 January 2023, but in no case later than 1 April 2025:

(1) IAPP certificate under rule 199.41 or 199.341(4)(a)(i):

(2) IEE certificate under rule 199.51 or 199.341(4)(a)(i):

(3) Approved Technical File under rule 199.84:

(4) EIAPP certificate under rule 199.86:

(5) Type Approval Certificate for an incinerator under rule 199.144:

(6) Annex VI endorsement under rule 199.56(2)(a):

(7) Reserved

(8) Reserved

(9) Type Approval Certificate for an incinerator under rule 199.444.

1.2.3 The following are not required to be submitted to the Director until the first intermediate or renewal survey after 1 January 2023:

(1) Attained EEDI under rule 199.184:

(2) Reserved ~~Attained EEDI under rule 199.484.~~

1.2.4 The following must be held, and where applicable verified, by 1 January 2023:

(1) SEEMP under rule 199.201(5)(a):

(2) Reserved ~~SEEMP under rule 199.501(5)(a).~~

1.2.5 The following Attained EEXI is not required to be submitted to the Director until the following time:

(1) for the Attained EEXI under rule 199.186, at the first annual, intermediate, or renewal survey after 1 January 2023:

(2) Reserved ~~for the Attained EEXI under rule 199.486, at the first intermediate, or renewal survey after 1 January 2023.~~

1.2.6 The following must be submitted to the Director before 31 March 2024:

(1) the first attained annual operational CII under rule 199.188:

(2) Reserved ~~the first attained annual operational CII under rule 199.488.~~

1.2.7 The following must be held before 1 June 2024:

(1) the first Statement of Compliance under rule 199.225 relating to fuel oil consumption of a ship:

(2) Reserved ~~the first Statement of Compliance under rule 199.525 relating to fuel oil consumption of a ship.~~

1.2.8 Reserved

1.2.9 An Annex VI endorsement under rule 199.341(4)(b)(i) is not required to be held until the first intermediate or renewal survey after 1 April 2023, but in no case later than 1 April 2025.

[Rule~~s~~ 199.222(3)(b) ~~and 199.522(3)(b)~~]]

SCHEDULE 4 Additional requirements for the reporting of ship fuel oil consumption data

....

4.1 Application and general requirement

4.1.1 Rule~~s~~ 199.222(3)(b) ~~and 199.522(3)(b)~~ require~~s~~ the submission of data by the owner of the ship to be reported to the Director in accordance with this Schedule.

4.1.2 This Schedule applies to the owner depending on the particular circumstances described below.

4.2 Reporting consumption data when clauses 4.3, 4.4, 4.5, and 4.6 do not apply

4.2.1 Clause 4.2 applies to a ship that is a New Zealand ship—

(1) on the date this Schedule 4 comes into force and remains so on 31 December 2022; or

(2) on or before 1 January of any year after 2022 and remains so on 31 December of that year (calendar year).

4.2.2 Consumption data of ship must be aggregated by item for—

(1) where subclause 4.2.1(1) applies, the period from the date this Schedule 4 comes into force to 31 December 2022; and

(2) where subclause 4.2.1(2) applies, a calendar year.

4.2.3 The data in clause 4.2.2 and the identification data must be reported to the Director by electronic means in the form in Appendix IX of Annex VI by 31 March of the following year.

4.2.4 Consumption data must be kept until December of the next calendar year.

4.2.5 Data must be reported to Director at the Director's request during the period data is required to be kept.

4.3 Reporting consumption data on transfer of registry

4.3.1 Clause 4.3 applies to a ship ceasing to be registered as a New Zealand ship and being registered in another place on a day in the calendar year (transfer day).

4.3.2 Consumption data must be aggregated by item for that part of a calendar year it is registered in New Zealand.

4.3.3 The data in clause 4.3.2 and identification data must be reported to the Director by electronic means in the form in Appendix IX of Annex VI within 30 days beginning on the transfer day.

4.3.4 Consumption data must be kept until 12 months after the transfer day.

4.3.5 Data must be reported to Director at the Director's request during period data is required to be kept.

4.4 Reporting consumption data on change of owner

4.4.1 Clause 4.4 applies if a person (new owner) replaces another person (original owner) as the owner of the ship on a day (replacement day) in a calendar year.

4.4.2 The original owner must ensure consumption data is aggregated by item for that part of a calendar year it is the owner of the ship.

4.4.3 The original owner must report this and identification data of ship to the Director by electronic means in the form Appendix IX of Annex VI within 30 days beginning on the replacement day.

4.4.4 The original owner must keep consumption data until 12 months after the replacement day.

4.4.5 The original owner must report data to Director at the Director's request during period data is required to be kept.

4.4.6 The new owner must ensure consumption data is aggregated by item for that part of a calendar year it is the owner of the ship.

4.4.7 The new owner must report this and identification data of ship to the Director by electronic means in the form Appendix IX of Annex VI by 31 March of the following year or, if the new owner ceases to be the new owner, 30 days beginning on the day they cease to be the owner.

4.4.8 The new owner must keep consumption data until the expiry of 31 December of the next calendar year or, if the new owner ceases to be the new owner, 12 months after they cease to be the new owner.

4.4.9 The new owner must report data to Director at the Director's request during period data is required to be kept.

4.5 Reporting consumption data on change of company

4.5.1 Clause 4.5 applies if a company (new owner) replaces another company (original owner) as the owner of the ship on a day (replacement day) in a calendar year.

4.5.2 The same requirements apply as clause 4.4 but replacing original owner with original company and new owner with new company.

4.6 Reporting consumption data on both transfer of registry and change of company

4.6.1 Clause 4.6 applies to a ship ceasing to be registered as a New Zealand ship and being registered in another place on a day in the calendar year (transfer day) and at the same time the company (new owner) replaces another company (original owner) as the owner of the ship.

4.6.2 The same requirements apply as clause 4.3.

Amendments relating to RAP 3 – International Amendments (arising from IMO resolution MEPC.343(78))

Amendments to Part 121A – Ship Design and Construction – Oil Tankers

121A.17 Subdivision and stability

(1) The owner of any new ship (as defined in rule 121A.2) which is an oil tanker must ensure that it complies with –

(a) the subdivision and damage stability criteria specified in rule 121A.17(3); and

(b) the assumed side or bottom damage specified in rule 121A.17(2), at any operating draught reflecting actually, partial or full load conditions consistent with the trim and strength of the ship as well as the specific gravities of the cargo. Such damage must be applied to all conceivable locations along the length of the ships as follows:

(i) in any tanker of more than 225 metres in length, anywhere in the ship's length; and

(ii) in any tanker of more than 150 metres, but not exceeding 225 metres in length, anywhere in the ship's length except involving either after or forward bulkhead bounding the machinery space located aft. The machinery space is treated as a single floodable compartment; and

(iii) in any tanker not exceeding 150 metres in length, anywhere in the ship's length between adjacent transverse bulkheads with the exception of the machinery space.

Ballast conditions where the tanker is not carrying oil in cargo tanks, excluding any oil residues, must not be taken in account.

(2) ...

(3) Subject to rule 121A.17(4), an oil tanker is to be regarded as complying with the damage stability criteria if the following requirements are met –

(a) ~~the final waterlines, taking into account sinkage, heel and trim, is below the lower edge of any opening through which progressive flooding can take place. Such openings include air pipes and those which are closed by means of weathertight doors or hatch covers and excludes those openings closed by means of watertight manhole covers and flush scuttles, small watertight cargo tank hatch covers which maintain the high integrity of the deck remotely operated watertight sliding doors, and sidescuttles of the non-opening type~~

the final waterline, taking into account sinkage, heel and trim, is below the lower edge of any opening through which progressive flooding may take place. Such openings include air pipes and those which are closed by means of weathertight doors or hatch covers and may exclude those openings closed by means of watertight manhole covers and flush scuttles, small watertight cargo tank hatch covers which maintain the high integrity of the deck, remotely operated sliding watertight doors, hinged watertight access doors with open/closed indication locally and at the navigation bridge, of the quick-acting or single-action type that are normally closed at sea, hinged watertight doors that are permanently closed at sea, and sidescuttles of the non-opening type; and

replacing with new para 3.1 of reg28 of MARPOL Annex I

(b) in the final stage of flooding, the angle of heel due to unsymmetrical flooding does not exceed 25 degrees. This angle may be increased up to 30 degrees is not deck edge immersion occurs; and

(c) in the final stage of flooding the righting lever curve has at least a range of 20 degrees beyond the position of equilibrium in association with a maximum residual righting lever of

at least 0.1 metre within the 20 degrees range and the area under curve within this range is not less than 0.0175 metre radians. Unprotected opening must not be immersed within this range unless the space concerned in assumed to be flooded. The immersion of any of the openings listed in rule 121A.17(3)(a) and other openings capable of being closed weatheright may be permitted within this range; and

(d) the surveyor before approving the stability calculations for the ship for the purposes of the initial survey as required by rule 101A.4(2)(a) is satisfied that the stability is sufficient during intermediate stages of flooding.

...

Amendments relating to RAP 3 – Miscellaneous Fixes to Maritime and Marine Protection Rules

Amendments to Part: Operating Limits

Part objective

Part 20 defines operating limits for the purpose of all maritime rules. Its other main purpose is to require ships to be assigned operating limits and to provide for an obligation to keep within the lesser of the assigned operating limits or the operating limits that apply to the Master, subject to exceptions.

While the definitions in rule 20.2 may be referred to elsewhere in the maritime rules and therefore has a broader application, Part 20 otherwise applies to—

• New Zealand ships which are commercial ships

• Foreign ships operating commercially in New Zealand waters

• Foreign fishing vessels registered under the Fisheries Act 1996.

Part 20 does not apply to certain ships including—

• Pleasure craft

• Foreign ships visiting New Zealand ports, New Zealand offshore terminals or transiting New Zealand waters

• New Zealand ships which have current SOLAS certificates and are therefore already entitled to operate in unlimited waters. Limits do not need to be assigned to these ships.

Part 20 is made pursuant to the sections 36(1)(i), 36(1)(j), and 36(1)(zb) of the Maritime Transport Act 1994.

Maritime Rules (rules) are secondary legislation under the Legislation Act 2019. Under that Act, the rules are required to be presented to the House of Representatives. The House may, by resolution, disallow any rule. The Regulations Review Committee is the select committee responsible for examining all secondary legislation and may consider any matter relating to secondary legislation and report on it to the House. Anyone can make a complaint to the Regulations Review Committee about the operation of secondary legislation.

Part 32: Seafarer Certification

...

Table 37: Table of requirements for advanced tanker endorsements

1	Prerequisites	applicable basic tanker endorsement for tankers (oil and chemical or liquefied gas tankers).
~~1~~ 2	1 Competency and training standard	demonstrates competencies at the level prescribed in regulation V/1-1-4 (oil tankers), V/1-1-6 (chemical tankers) or V/1-2-4 (liquefied gas tankers) of STCW (as applicable).
~~2~~ 3	Sea Service	completes approved sea service that, at a minimum, meets the requirements described in regulation V/1-1-4 (oil tankers), V/1 1-6 (chemical tankers) or V/1-2-4 (liquefied gas tankers) of STCW as applicable.
~~3~~ 4	Training	successfully completes relevant training.

4 5	Ancillaries	demonstrates the ancillary proficiencies for STCW basic training in accordance with rule 32.16.

Amendments to Part 40D: Design, Construction and Equipment – Fishing Ships

40D.2 Definitions

In Part 40D, unless the context otherwise requires—

...

post-27 May 2004 ship—

(a) means a ship—

(i) for which construction commences; or

(ii) which is converted into a fishing ship to which Part 40D applies, on or after 27 May 2004; and

(b) post-27 May in relation to a boat or ship has a corresponding meaning-:

pre-27 May 2004 ship—

(a) means a ship—

(i) for which construction commences; or

(ii) which is converted into a fishing ship to which Part 40D applies, before 27 May 2004-; and

pre-27 May 2004 in relation to a boat or ship has a corresponding meaning-:

...

Amendments to Part 80: Marine Craft Involved in Adventure Tourism

Revoke Part 80

Part 81 revoked section 2 and Appendix 2 of Part 80 (as at 1 April 2011)

Part 82 revoked section 1 and Appendix 1 of Part 80 (as at 2 August 2012)

However, even though all the substantive elements of Part 80 have been revoked as described above, Part 80 itself has not been revoked.

Amendments to Part 90: Pilotage

90.3 Definitions and abbreviations

In this Part, unless the context otherwise requires—

...

appropriate means—

(~~i~~a) in relation to a pilot licence, of a grade appropriate to the size and type or category of ship, pilotage area and conditions to which the privileges of that licence apply:

(b) in relation to a pilotage exemption certificate, appropriate to the size and type or category of ship (or to a specific ship or ships), pilotage area and conditions to which the privileges of that certificate apply:

...

Amendments to Part 103: Notifications – Oil and Noxious Liquid Substances

Part objective

Part 103 is concerned with procedures for notifying the Director of Maritime ~~Safety Authority of~~ New Zealand and regional councils of the following shipping operations involving harmful substances –

- The prospective operational transfer or oil or a noxious liquid substance to and from a ship, or an emergency transfer where the intention to transfer harmful substances has not already been notified; and
- The prospective arrival in a New Zealand port of a ship carrying oil or a noxious liquid substance in bulk as cargo.

Part 103 replaces the corresponding notification requirement found in the Marine Pollution Act 1974.

The Part requires at least 12 hours notice to be given of arrivals. Operational transfers must be notified at least 3 hours but not more than 4 days (96 hours) before starting. An emergency transfer need only be notified before it gets underway.

Part 103 covers –

- New Zealand ships
- New Zealand Defence Force ships
- Foreign ships

that are:

(a) involved in transferring oil or noxious liquid substances carried in bulk to or from a ship in the internal waters or territorial sea of New Zealand; or

(b) carrying oil or noxious liquid substances in bulk as cargo and will be arriving at a port in New Zealand.

The basis for Part 103 is found in section 229, 230, 240, 241, 388(j)(iii), and 388(m) of the Maritime Transport Act 1994.

~~Marine protection 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.~~

Marine Protection Rules (rules) are secondary legislation under the Legislation Act 2019. Under that Act, the rules are required to be presented to the House of Representatives. The House may, by resolution, disallow any rule. The Regulations Review Committee is the select committee responsible for examining all secondary legislation and may consider any matter relating to secondary legislation and report on it to the House. Anyone can make a complaint to the Regulations Review Committee about the operation of secondary legislation.

...

103.2 Definitions

In Part 103—

...

Director means the person who is for the time being the Director of Maritime ~~Safety~~ New Zealand ~~under~~ under section 439 of the Act:

...

103.3 Application

(1) Part 103 applies to—

(a) every New Zealand ship; and

(b) every warship and every other ship of the New Zealand Defence Force; and

(c) every foreign ship.

(2) Where a rule in Part 103 places an obligation on the master of any New Zealand ship, the same obligation will apply to the master of any warship or any other ship of the New Zealand Defence Force to which that rule applies.

Notification of transfers

103.4 Procedure for notifying transfers

(1) Subrule 103.4(2) does not apply to any of the following operations:

(a) a transfer of oil in the form of diesel from a self-service pump for the purposes of bunkering:

(b) a transfer of oil carried out under the authority of an on-scene commander exercising powers under Part 23 of the Act, or at the direction of the Minister of Transport under that Part of the Act:

(c) a transfer of oil which has been reported under rule 120.15 to 120.18 inclusive:

(d) a transfer of a noxious liquid substance which has been reported under rules 140.10 to 140.13 inclusive:

(e) STS operations to which rule 103.6 applies;

(2) Notice of the transfer of oil or of any noxious liquid substance required by section 230 of the Act~~, except in the case of~~ must~~:~~

~~(a) a transfer of oil in the form of diesel from a self-service pump for the purposes of bunkering; or~~

~~(b) a transfer of oil carried out under the authority of an on-scene commander exercising powers under Part XXIII of the Act, or at the direction of the Minister of Transport under that Part of the Act; or~~

~~(c) a transfer of oil which has been reported under rule 120.15 to 120.18 inclusive; or~~

~~(d) a transfer of a noxious liquid substance which has been reported under rules 140.10 to 140.13 inclusive;~~

~~must:~~

(a~~i~~) be given, by facsimile or ~~by an~~other means of telecommunication, either ~~to:~~

(i~~aa~~) to the regional council within ~~whose~~ which region the transfer is intended to be made; or

(ii~~bb~~) ~~to~~ where the transfer is intended to be made outside a region, to the Director ~~where the transfer is intended to be made outside a region~~; and

(b~~ii~~) be given, in the case of an operational transfer, not less than 3 hours but not more than 96 hours before the transfer is due to begin; and

(c~~iii~~) be given, in the event of an emergency transfer, prior to the transfer beginning; and

(d~~iv~~) state where the transfer of oil or noxious liquid substance is to take place; and

(e~~v~~) state when the transfer is scheduled to begin and when it is scheduled to end; and

(f~~vi~~) state the type~~(s)~~ of oil or noxious liquid substance~~s(s)~~ to be transferred, giving the correct technical name~~(s)~~, UN number~~(s)~~ (if applicable), flashpoint~~(s)~~ (as appropriate), and quantity~~(y)(ies)~~; and

(g~~vii~~) provide details of the distribution of any oil or noxious liquid substance~~s~~ carried on board in bulk as cargo, including that which is to be transferred and that which is to remain on board; and

(h~~viii~~) provide details of any defect of the hull, machinery, or equipment ~~which~~that could constitute a risk to the marine environment, including any defect affecting the safe manoeuvrability of the ship.

~~(e) STS operations to which rule 103.6 applies;~~

Amendments to Part 199: Prevention of air pollution from ships

Subsection C3B

199.386 Application of subsection C3B

(1) This subsection applies to a marine diesel engine installed on a ship to which subsection C3A does not apply.

(2) Rule 199.390 does not apply to a marine diesel engine installed on ship to which section C1 does not apply.

(3) This subsection applies to an engine with a power output of 5,000 kW or less that is installed on a ship constructed before 1 January 2000 if—

(a) it has undergone a major conversion on or after the date this subsection comes into force; or

(b) it is installed on a ship where that ship becomes a New Zealand ship on or after the date this subsection comes into force.

(4) This subsection applies to an engine with a power output of more than 5,000 kW that is installed on a ship constructed before 1 January 1990 if—

(a) it has undergone a major conversion on or after the date this subsection comes into force; or

(b) it is installed on a ship where that ship becomes a New Zealand ship on or after the date this subsection comes into force.

(5) This subsection ~~does not apply~~ applies to an engine with a power output of more than 5,000 kW with a cylinder displacement less than 90 L that is installed on a ship constructed on or after 1 January 1990 but prior to 1 January 2000 if—

(a) it has undergone a major conversion on or after the date this subsection comes into force; or

(b) it is installed on a ship where that ship becomes a New Zealand ship on or after the date this subsection comes into force.

Appendix 3: Gap analysis for certificates between STCW and STCW-F

Appendix 3: Gap analysis for certificates between STCW and STCW-F

	1. **Mate FV – Limited to Watchkeeper Deck <500GT NC pathways**	2. **Skipper Fishing Vessel Limited (SFV-L) to Master <500GT NC**	3. **Skipper Fishing Vessel Unlimited (SFV-UL) moving to Watchkeeper Deck**
High level gap analysis	**Ancillary certification** There are differences in requirements for the WKD<500 GT, gaps include: • Advanced fire-fighting • Proficiency in survival craft and rescue boats (other than fast rescue boats) • Medical first aid • Generic ECDIS (required for ships fitted with ECDIS). A STCW-F seafarer would need to gain these ancillary certificates if they wanted to move to STCW. **Sea service** There are gaps in sea service. The WKD <500GT NC requires sea service on non-fishing vessels. For example one option for sea service is: • Option 1 – 36 months on vessels 12 metres or more (required) and includes a minimum of 18 months operating beyond restricted	**Ancillary certification** There are differences in requirements for the Master <500GT, gaps include: • Advanced fire-fighting • Proficiency in survival craft and rescue boats (other than fast rescue boats) • Medical first aid • Generic ECDIS (required for ships fitted with ECDIS). A STCW-F seafarer would need to gain these ancillary certificates if they wanted to move to STCW. **Sea service** There are gaps in sea service for a SFV-L moving to Master <500GT NC. Master <500 GT NC requires 12 months as an officer in charge of a navigational watch on ships 24 metres	**Ancillary certification** There are difference in requirements for the WKD, gaps include: • Generic ECDIS (required for ships fitted with ECDIS) • Security awareness (required for seagoing ship which is required to comply with ISPS code. A STCW-F seafarer would need to gain these ancillary certificates if they wanted to move to STCW. **Sea service** There are gaps in sea service such as on larger vessels and on non-fishing vessels. Service. For example, one option to gain the WKD Unlimited is to have experience on vessels of 500 GT or more which includes at least 6

Appendix 3: Gap analysis for certificates between STCW and STCW-F

	1. **Mate FV – Limited to Watchkeeper Deck <500GT NC pathways**	2. **Skipper Fishing Vessel Limited (SFV-L) to Master <500GT NC**	3. **Skipper Fishing Vessel Unlimited (SFV-UL) moving to Watchkeeper Deck**
	limits in a deck capacity on non-fishing vessels Mate FV - Limited seafarers who wanted to move to STCW would need extra sea service for this move. **Qualifications** The two certificates share a qualification, the New Zealand Certificate in Marine Operations (Level 4). There are different strands for fishing and watchkeeping and that may mean there are gaps in learning.	or more in length or 80 GT or more operating beyond restricted limits. **Qualifications** New Zealand Certificate in Maritime Operations (Level 5) – both certificates use the same qualification but with some required learning for fishing and non-fishing streams. There are differences in learning. Further work and input from the sector is required to confirm what these are.	months supervised bridge watchkeeping including a minimum of 6 months beyond restricted limits in a deck capacity on non-fishing vessels **Qualifications** The SFV-L requires the New Zealand Diploma in Fishing Vessel Operations (Level 6) with fishing vessel skipper strand and the WKD – Unlimited requires the NZ Diploma in Nautical Science (Level 6). There are different learning outcomes for the courses. Further work and input from the sector is required to confirm what these are.
Proposals	Maritime NZ considers there is a transition pathway from Mate FV limited to Watchkeeper Deck <500GT NC Limited and vice versa. Seafarers would need to complete the relevant ancillary	Maritime NZ considers there is a transition pathway from SFV (Limited) to Master<500GT NC) provided:	Maritime NZ notes that there are gaps in ancillary certification, sea service, and the contents of the NZQA Qualifications.

Appendix 3: Gap analysis for certificates between STCW and STCW-F

	1. **Mate FV – Limited to Watchkeeper Deck <500GT NC pathways**	2. **Skipper Fishing Vessel Limited (SFV-L) to Master <500GT NC**	3. **Skipper Fishing Vessel Unlimited (SFV-UL) moving to Watchkeeper Deck**
	courses, gain extra sea service, and bridge the training gap between certificates.	• ancillary courses are completed • Provide at least 2-3 months relevant sea service on ships >24m or >80GT operating beyond the Restricted limits • The differences in learning outcomes can be addressed. • There are new standards that come into force in STCW-F from 1 January 2026. There will need to be consideration for how these will be addressed.	We consider that there is a pathway, but this needs further development.