Nō te rere moana Aotearoa
MARITIME NEW ZEALAND

Invitation to Comment:

Design, Construction, and Equipment Rules Reform

Overview of Consultation Package 2:

- **Stability, Drainage, Freeboard, and Subdivision**
- **Watertight and Weathertight**
- **Electrical**
- **Radio Equipment**

MAY 2025

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This document is part of a series of documents to support consultation on changes to the existing Design, Construction, and Equipment rules. Other documents that form part of the consultation package include:

- *Invitation to Comment* - An overview of the consultation package and summary of the proposals, including information on how to have your say on the proposals (this document).
- *Proposal summaries* - Details of the proposed changes for each of the four rule topics being consulted on: Stability, Drainage, Freeboard, and Subdivision; Watertight and Weathertight; Electrical; and Radio Equipment.
- *Draft Maritime Rules and draft Maritime Transport Instruments (MTIs)*– a set of rules and MTIs for each of the four Rule topics.
- A template to support preparation of your submission.

These documents, and other supporting information, can be accessed at https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-2/

Contents

Note: The word ‘ship’ is used in the Maritime Transport Act 1994 and the proposed rules and maritime transport instruments. This term is used to refer to any kind of boat or craft and does not refer to a craft of a specific size. For the avoidance of doubt, the terms vessel, ship and boat can be used interchangeably. This document uses the term ‘vessel’.

Purpose

1. Maritime New Zealand - Nō te rere moana Aotearoa (Maritime NZ) is proposing significant reform of the Maritime Rules for design, construction and equipment (the DCE rules) for domestic commercial ships. These rules are sometimes referred to as “the 40-Series rules”.
2. The changes to the DCE rules are being consulted on as packages, each including four proposed new Rule Parts and the associated maritime transport instruments (MTIs). The proposed new rules and MTIs will come into force at the same time, after all changes have been consulted on. In total, 15 existing Rule Parts will be reformed through this programme.
3. This document briefly explains the reform of the DCE rules and provides an overview of the rules and MTIs included in Package 2, and information on how to provide feedback. You are invited to make a submission about the proposals for this consultation. The rule topics covered are Stability, Drainage, Freeboard and Subdivision; Watertight and Weathertight; Electrical; and Radio Equipment.
4. The consultation includes both draft rules and draft MTIs, although the rule must be made before the associated MTI can be made. Consulting on these together enables those affected to understand what requirements are proposed. Maritime NZ is consulting on the rules on behalf of the Associate Minister of Transport (the Minister) who has the authority to make maritime rules. Maritime NZ is consulting on the MTIs on behalf of the Director of Maritime NZ, who has the power to make these instruments where they have been enabled in the rules.
5. It is intended that the proposed new rules and MTIs will come into force in 2026. Note that this date is subject to analysis of submissions received during consultation, and Ministerial agreement to any changes subsequently made in response.

About Maritime Rules and MTIs

6. The authority to make maritime rules is found in section 36(1) of the Maritime Transport Act (MTA). The authority to make MTIs is found in sections 452A and 452B. The collection of documents that make up this consultation package are issued to fulfil formal consultation requirements under sections 446 and 452C of the MTA.
7. Maritime Rules and transport instruments are secondary legislation under the Legislation Act 2019. Under that MTA, secondary legislation must be presented to the House of Representatives. The House of Representatives 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.

Matters the Minister considers when making rules

8. Section 39 of the MTA sets out the matters that the Minister must have regard to when making a rule.[1] These matters have informed the selection of the criteria used to evaluate the proposed rules changes and are discussed in detail in the proposal summary for each new rule topic. Some examples are set out below.

   - The nature of the activity or service (refer section 39(2)(c)) has been considered in all proposals, with requirements being linked to the type of operation, the size of a vessel and how far from shore it operates.

   - The risk to maritime safety and persons on board a vessel and recommended international practices and circumstances in respect of maritime safety (refer section 39(2)(a), (b), (d) and (g)) underpin many change proposals. Incidents in New Zealand and overseas have been considered, and all proposals have been considered against the requirements set in comparable jurisdictions – particularly Australia and the United Kingdom, but also in Canada and the European Union, and to a lesser extent the United States.

   - The costs of specific proposals (refer section 39(2)(fa)) are considered and assessed against potential benefits of change. Transition proposals for existing ships have been informed by dialogue with the sector and an appreciation of the financial circumstances faced by many operators.

How to have your say

9. As noted above, this document is part of a package of consultation documents on the proposed changes to the maritime DCE rules. Information on this consultation is available on Maritime NZ's website.

10. Subject to interest, Maritime NZ will hold online information sessions on the proposals during the weeks of ***3 – 6 June and 23 – 27 June***. Please contact us at the email address provided below if you would like to attend a session or if you would like us to contact you to discuss any of the proposals.

11. We welcome any feedback you wish to provide. Questions about the topics we are consulting on have been included to help you focus your feedback. Answering the questions is optional. In addition, you may also wish to comment on:

    - what impacts you think the proposed rules and MTIs might have on the industry, maritime operations or maritime safety; and / or

[1] The considerations that apply to the DCE rules include:
39(2) (b), (c), and (d): the risk to maritime safety and the nature of the activity or service for which the rule is being established.
39(2)(f): whether the proposed rule i) assists economic development; ii) improves access and mobility; iii) promotes and protects public health;
39(2)(fa): the costs of implementing measures for which the rule is being proposed; and
39(2)(g): the international circumstances in respect of maritime safety.

- whether the proposed rules and MTIs are accurate, and as clear and understandable as possible.

12. The consultation questions are listed in each proposal summary and attached as Appendix 1 of this document.
13. If you would like to provide comment on the proposals, please make a submission by completing the submission form available from our website: (https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-2/), and:
    - emailing it through to us at 40.series@maritimenz.govt.nz; or
    - posting it to the Regulatory Reform Projects Team, Maritime NZ, PO Box 25620, Wellington 6140.
14. Submissions do not have to use the submission form. However, all submissions are required to be received by ***5pm on Friday 11 July 2025***.

Submissions are public information

15. Please let us know if your comments are commercially sensitive or if, for some other reason, you consider they should not be disclosed. If your submission is subsequently subject to an Official Information Act 1982 (OIA) request, Maritime NZ will consider your confidentiality request in accordance with the grounds for withholding information set out in the OIA.
16. 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.
17. We will acknowledge all submissions that we receive.

Background and reasons for change

18. The DCE rules set standards and obligations for the:
    - survey and certification of New Zealand domestic commercial vessels; and
    - design, construction and equipment requirements for New Zealand domestic commercial vessels (i.e. not international vessels and not pleasure craft).[2]
19. The current DCE rules have 17 Rules Parts. The reform project is reviewing 15 of these – it is not covering Hovercraft (40F) and Novel ships (40G).
20. The current rules are grouped by vessel type, with each grouping or Rule Part covering topics such as stability, drainage, freeboard and subdivision; watertight and weathertight; fire protection; machinery and ancillary equipment; electrical; radio equipment; and life-saving appliances. This results in significant duplication, and in places there are also inconsistencies with no clear reason why. Most of the rules were introduced in 2000 or 2001 so they are generally around 25 years old.

[2] In some circumstances, some rules also apply to foreign vessels that are operating commercially in New Zealand.

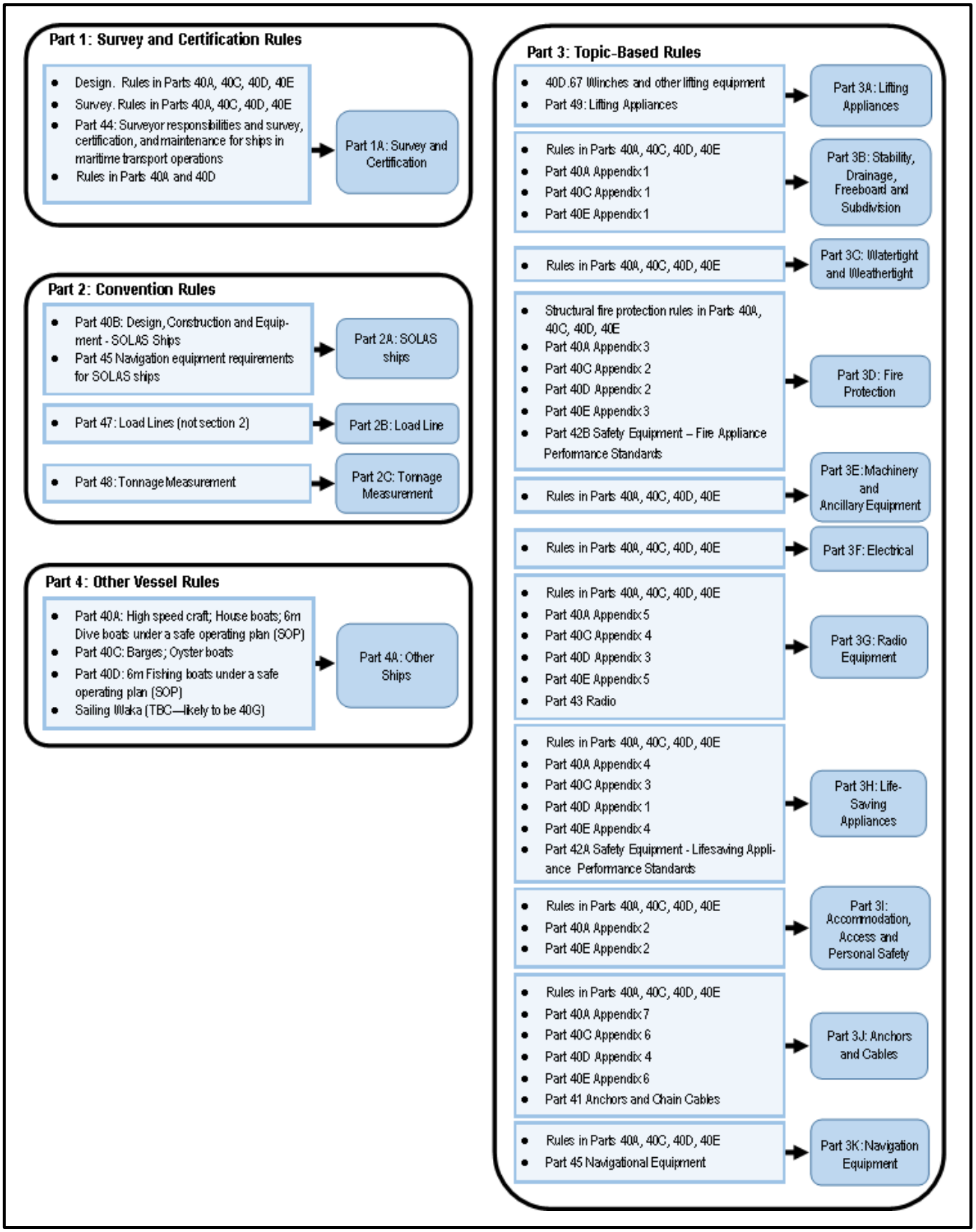
21. The reform is part of a commitment to improve regulation as part of Maritime NZ's regulatory stewardship, and responds to a number of factors.

    - Feedback from the sector that the rules have numerous technical issues, are hard to use, inconsistent and inflexible – with concerns that these issues cause uncertainty, inconvenience and delays which lead to unnecessary costs and a high volume of queries and applications for exemptions.
    - Policy investigations and analysis have identified opportunities to remove inconsistencies, unnecessary prescription and complexity and to streamline, modernise, and simplify the rules framework.
    - Rules about a given topic are often located in multiple different places.
    - Separate rules based on vessel type are not justified – much of the content is the same or similar and is repeated across the Rule Parts for passenger (40A), non-passenger (40C), fishing (40D) and sailing (40E) vessels.
    - Reports issued by the Transport Accident Investigation Commission (TAIC) have recommended changes to standards across a number of rules topics.
    - Some rules have not kept pace with sector changes and developments in technology.
    - Some rules set standards that are too onerous and not proportionate to risk; in other cases, the safety standard for some vessels are too low.

22. The aim of the project is to revise the current DCE rules so that they:

    - are evidence-based
    - are clear and accessible to the public and user-friendly for those applying them
    - set standards that are proportionate and appropriate to the risk
    - provide a new framework which is flexible and adaptable so can be more efficiently maintained and updated
    - address issues the sector has raised about the current rules.

Figure 1: Mapping the existing design, construction and equipment rules onto the new rule structure



Assessment criteria explained

23. Criteria have been established for assessing all proposals for the DCE Rules Reform Project. The proposed changes considered in this consultation package are assessed against the criteria described below.

- The changes provide flexible and adaptable regulation:
    - changes in technology, standards or knowledge can be incorporated into rules (including MTIs) in a timely manner
    - where appropriate, surveyors are provided with options about the evidence that may be used in applying the rules and the standards that should be applied
    - decision-making by surveyors and by Maritime NZ is supported and enhanced.
- Rules are clearer and easier to understand and apply:
    - unnecessary bulk and complexity is reduced
    - requirements in rules are consistent and predictable
    - the arrangement of rules makes sense to users and requirements are straightforward to locate
    - the purpose of the rules and what is required is clearly stated.
- Maritime safety is maintained or enhanced:
    - current safety standards are reduced where analysis indicates that they are unnecessarily onerous
    - current safety standards stay the same where analysis indicates they are appropriate
    - safety standards will be modernised where analysis indicates that this is required for safety reasons.
- Changes are practical and economically viable:
    - the change supports the ongoing improvement of the fleet
    - the change is technically and practically feasible
    - unnecessary costs are reduced
    - the change achieves a balance between the risks of harm to people and the costs of making improvements to safety
    - the requirements are the minimum necessary to ensure safe operation.

Summary of proposed changes that would apply to all topics

General requirements

24. General requirement provisions are being introduced into all new rules. They specify requirements for each topic that are implicit in the current rules but that are often not directly stated. Subsections in Rule Parts also have "General requirements" that apply to that section. The goal of general requirements is to provide direction and clarity about the more detailed requirements that follow. This would help surveyors to make assessments when they are surveying a vessel and assist vessel operators by describing the outcomes that an exemption application must demonstrate. It would also help Maritime NZ by providing the basis against which an exemption application can be assessed.

Harmonising and consolidating requirements across vessel types

25. A guiding principle of the reform of the DCE rules is that, where practicable, rules would be harmonised and consolidated across vessel types. In most cases, the minor differences in rules from the different vessel types (passenger, non-passenger, fishing, and sailing) have been harmonised and the rules consolidated into one set. This is being done to reduce duplication and complexity and increase consistency.

26. Harmonising and consolidating means that requirements are arranged differently in the new rules and MTIs and there are wording changes. However, these changes generally do not impose additional duties or costs.

Requirements are based on risk

27. A risk-based approach has been used to consider whether changes to requirements are required.

28. There are currently a number of examples where rules for different vessels address the same items but set different requirements. These requirements have been aligned in the proposed new rules, based on the principle that vessels of the same or similar size working in the same or similar location should meet the same requirements - unless there are specific reasons why they should not.

29. A risk-based approach means that settings would change for some vessels. Some requirements would reduce, for example, existing vessels would have the option of meeting a set of minimum electrical standards rather than complying with the current electrical standard. Some requirements would increase, for example, glazing standards would be higher for vessels operating beyond inshore limits.

Rules and MTIs support innovation and new technologies

30. The current rules duplicate the same or similar requirements across multiple vessel types making them difficult to update to support innovation and allow new technology. The introduction of general requirements (see above), topic-based rules, and detailed requirements in MTIs all make this easier. Examples of new technologies addressed in the proposed new rules include electronic control systems (electrical rules) and electric vessels (electrical and fire protection rules).

Grandparenting

31. In some cases, the old rule would continue to apply to an existing vessel, while a new rule would apply to all future cases. This is known as “grandparenting”. A grandparenting policy may be applied where a change to a rule has been proposed for reasons of workability and there is not a strong safety reason to require existing vessels to be upgraded to meet a new rule. For example, a rule change might be made to reduce duplication or complexity and increase consistency. Grandparenting may apply for a specified period, or for the life of the vessel, system, or equipment.
32. To support grandparenting, the current rules will remain on the Maritime NZ website after they have been revoked, so that the sector and the public can continue to access and comply with them.
33. Some submissions on the Package 1 set of proposed rules suggested that grandparenting should apply to all existing vessels. That is, that existing vessels should not have to comply with any proposed changes. Maritime NZ is considering if and where this proposed grandparenting might be appropriate.

Transition period

34. Standards in the current rules have been revised over the years, but many existing vessels are not required to meet the revised safety standards. For example, in 2004, standards in around a third of the DCE rules increased, but only for vessels built or modified after 2004. This created a parallel rule set which added significantly to the overall complexity of the rules.
35. The general approach to harmonising and consolidating requirements would remove ‘duplicate’ rules. Where the requirements are safety-related, a higher standard may apply for some vessels. These vessels may be given time in the form of a transition period to meet the new standard. Transition periods may also apply where new requirements have been introduced to raise safety standards, and these requirements apply to both new and existing vessels.
36. The proposed rules include transition periods from two to fi ve years depending on the topic and the cost and complexity of meeting the new requirements. Some submissions on the Package 1 consultation suggested that transition periods should be longer. Other submitters supported shorter transition times.

Proposed application of the rules to newly built and second-hand vessels entering the fleet

37. Under the proposals, a newly built ship that enters the New Zealand fleet would need to meet the proposed new rules.

38. It is proposed that a second-hand vessel that enters the New Zealand fleet and holds current certification from the Australian Maritime Safety Authority (AMSA) or a recognised classification society[3] would be treated as an existing vessel. But some exceptions would apply, as set out below.
    - If the new rules give an existing vessel time to transition to the new rules (for example five years to meet EPIRB requirements), a second-hand vessel that holds current certification from AMSA or a classification society would need to meet that requirement at the point it enters New Zealand.
    - If the new rules allow an existing vessel to utilise a specific grandparenting provision, a second-hand vessel certified by AMSA or a classification society would:
        - need to meet the post-27 May 2004[4] provisions in the current rules; and
        - would not be able to utilise grandparenting provisions for rules that apply to matters of safety or passenger accessibility.
39. A second-hand vessel that is new to the New Zealand fleet but does not hold current certification from AMSA or a recognised classification society would be treated as a new vessel and would need to meet the proposed new rules.

Fishing vessels of 24 metres or more in length

40. Under the proposals, the new rules would treat all fishing vessels of 24 metres or more as Cape Town vessels, meaning they would be directed to the rules that apply to New Zealand Cape Town Vessels, found in Part 404 Design, Construction, and Equipment - New Zealand Cape Town Vessels and Foreign Cape Town Vessels.
41. This would mean that when the new DCE rules take effect, Part 404 would apply to new and existing fishing vessels of 24 metres or more in load line length that are certified to operate in any of the operating limits defined in Part 20 Operating Limits, including the unlimited area. New Zealand has less than 40 fishing vessels in the fleet that are 24 metres or more in length. It makes sense to treat all fishing vessels this size the same, whether or not they operate in the unlimited area or are defined as a Cape Town vessel.
42. The changes proposed for the DCE rules set could mean that they do not align with the Cape Town Rules. Both sets of rules would be checked for alignment, and if necessary, amendments to the Cape Town Rules would be proposed as part of Package 4, targeting consultation in 2026.

Incorporation by reference

43. When external material is referred to in a rule or MTI, that material then becomes 'incorporated' into, and forms part of, the rule or transport instrument. Standards,

[3] A ship classification society is a non-governmental organisation that establishes and maintains technical standards for the construction and operation of ships. They certify ships against the standards during construction and at periodic surveys to ensure continuing compliance. Five classification societies are recognised to operate in New Zealand.

[4] Or post-1 April 2010 rules in the case of a sailing vessel.

codes, and requirements and rules of international, national, and specialist organisations are incorporated into the draft MTIs in Package 2 under section 452 of the MTA.

References to "the Administration" in material incorporated by reference

44. The proposed new Rules and MTIs sometimes refer to technical detail contained in another document issued for example by a Standards body or the International Maritime Organization (IMO).[5]

45. Some technical material produced by the IMO allows the "the Administration" to determine details or allow alternatives. Broadly this means the government of a country, and in our context, Maritime NZ.

46. References to the Administration can cause uncertainty because details in the text may be left unresolved. For this reason, we propose to minimise references to the Administration as follows:

- where possible, technical requirements would be specified in Rules and MTIs
- where an IMO document specifies a requirement but also allows the Administration to approve an alternative (i.e. it is optional), the specified requirement would be taken to be the requirement
- where a matter must be determined by the Administration, the Rule or MTI would either delegate the decision to the surveyor where this is appropriate; or refer the matter to the Director of Maritime NZ.

47. Where required by the topic, the MTI would specify how these approaches would apply. This would avoid individually specifying the approach to each reference to "the Administration". Note that the draft MTIs do not yet reflect this proposed policy.

Offences and penalties

48. As part of the review of the DCE rules, Maritime NZ and the Ministry of Transport would determine whether the offences in the MTA and the Maritime (Offences) Regulations 1998 will continue to be sufficient for compliance and enforcement purposes. Any proposed new offences and penalties will be consulted on separately.

Summary of proposed changes in Package 2 by topic

49. The key changes proposed for each of the four topics in Package 2 are briefly summarised below. A 'snapshot' table of the proposed changes for each topic is included in Appendix 2 to this document.

50. The proposals incorporate some of the high-level themes from feedback provided on Package 1. For example, submitters considered that second-hand vessels imported from Australia should be treated as existing vessels, and this led to the policy

[5] Standards bodies include Standards New Zealand, Standards Australia or the International Standards Organisation (ISO). IMO documents include conventions such as SOLAS, IMO Assembly and Maritime Safety Committee (MSC) Resolutions, circulars and guidelines.

discussed above. Submitters were concerned about the cumulative cost of the proposed changes. In response, the proposals for stability, drainage, freeboard, and subdivision seek feedback on how to address existing vessels but do not propose an option. More detail on the submissions received on Package 1 is provided in Appendix 3.

Note that these summaries are not intended to be comprehensive. We encourage readers interested in a particular topic to look at the proposal summary and draft rules and MTI for that topic.

Part 3B Stability, Drainage, Freeboard and Subdivision - main proposals

51. The new Stability, Drainage, Freeboard, and Subdivision rules and MTI would apply a different approach to assessing stability for new vessels entering the fleet.

52. It is proposed that vessels would be categorised in terms of their complexity and characteristics. A vessel would be categorised as:

    - high or low complexity depending on factors such as its size, passenger capacity, cargo volume and the type and location of its operation; and

    - open or decked based on features of the vessel such as its minimum freeboard, residual stability, and its ability to drain if swamped.

53. How a vessel is categorised would determine requirements – including vessel's stability, drainage, freeboard, or subdivision requirements.[6]

54. Some changes to the assessment tests and input parameters are proposed, including for example reducing the allowable angle of heel from 15 to 12 degrees, and minor changes to the comprehensive stability assessment for high complexity vessels.

55. A surveyor would be required to document the outcome of all stability assessments. A low complexity vessel would require a stability compliance report and a stability statement. A high complexity ship would require a stability booklet.

56. The proposals at this stage do not include how the new requirements would apply to existing vessels. Feedback on this is being sought as part of the consultation process. The goal is to strike a balance between ensuring there is enough information to determine vessel safety, and the costs of obtaining stability information or a stability assessment.

Part 3C Watertight and Weathertight – main proposals

57. Under the proposed new Watertight and Weathertight rules and MTI, existing vessels would be able to continue to comply with the rules that apply now. That is, 'grandparenting' would apply. Existing vessels would still need to meet the applicable General Requirements in the new rules.

58. On new vessels, glazed openings would need to meet specified construction standards, and some glazed openings on new vessels that operate beyond inshore

[6] Refer to the draft Rule Part 3B Table 2.1 for a complete summary.

limits or beyond inshore fishing limits would need to meet enhanced design pressure standards, or have deadlights or storm covers.

59. Other changes include allowing opening portholes below the weatherdeck and allowing wall ventilators (both subject to conditions). Existing vessels would have the option of meeting these new rules.

60. Fishing vessels of 24 metres or more load line length would need to meet the watertight and weathertight requirements in Part 404.[7] Vessels of 24 metres or more that are not fishing vessels would need to meet the watertight and weathertight requirements in Part 47: Load Lines.[8]

Part 3F Electrical – main proposals

61. New rules would address the installation of lithium-ion (Li-ion) batteries on a vessel, and electric propulsion. The general use of Li-ion batteries, and the use of electric motors for propulsion (powered by banks of Li-ion batteries) have been introduced to commercial operations in recent years. By international standards New Zealand is an early adopter of these technologies, which are becoming more common. The current absence of a rule framework creates uncertainly and churn as parties determine what requirements should apply. There are also safety risks. Li-ion batteries burn with intense heat and emit toxic smoke, and internationally, have been associated with major fires on vessels.

62. Under the proposed new Electrical rules and MTI existing vessels would have the option of meeting a set of minimum electrical safety requirements as an alternative to complying with AS/NZS 3004.2, which the current rules require.

63. Most vessels would require a source of alternative power (e.g. a battery) to power essential equipment[9] in an emergency. Existing vessels would be able to use battery-operated torches or lamps as emergency lighting. Existing vessels of less than 12 metres in length overall that operate within restricted limits or inshore fishing limits would be able to use battery-operated navigation lights as the alternative source of power.

64. Persons carrying out marine electrical work would need to provide a written statement confirming that the work they have done is safe, complies with the electrical design approval and the rules, and is tested in accordance with the rules.

65. Once the new rules come into force, transition provisions would apply to allow time for existing vessels to meet new requirements.

Part 3G Radio Equipment – main proposals

66. Under the new Radio Equipment rules and MTI, the master of passenger and sailing vessels of less than 12 metres in length that do not proceed beyond the inshore limit

[7] Part 404: Design, Construction, and Equipment - New Zealand Cape Town Vessels and Foreign Cape Town Vessels.

[8] Note that under the new rules structure Part 47 Load Lines will become Part 2C Load Lines.

[9] Essential equipment means navigation lights, emergency lighting, radio power and light, electronic control systems and alarms, and electrically powered bilge pumps.

would need to carry a means of communication in case a sudden incident occurs. This could be a cell phone, personal locator beacon (PLB) or hand-held VHF radio.

67. All vessels would need to carry an emergency position indicating radio beacon (EPIRB) except vessels of 6 metres or less that do not operate beyond enclosed water limits. All EPIRBs would need to meet current performance specifications.[10]

68. Once the new rules come into force, existing vessels would have five years to meet the new EPIRB requirements. The other proposals would take effect on commencement of the rules.

Costs of the proposals

69. Cost information about the proposals in Package 2 is included below. The focus is on existing vessels, as for new vessels the proposed changes are easily incorporated at the design stage, and in most cases new vessels already meet or exceed the requirements.

70. At this stage, Maritime NZ has not attempted to estimate the total cost of the proposals. There is a high degree of uncertainty around the standards that vessels currently meet. For the consultation stage of the process, we consider that presenting itemised costs provides a more accurate picture.

The impact of the proposals vary from vessel to vessel

71. The impact of the proposals would vary between vessels. Not all proposals apply to all vessels. Some existing vessels would incur little or no cost, and many would incur some costs. We expect that only a minority of vessels would incur costs across all proposals. We do not have data on the exact number of vessels impacted by the proposals but welcome feedback on how operators would be affected.

72. Vessel owners and operators would have two years or five years, depending on the proposal, to meet the new requirements. Vessels that already meet requirements would not be impacted.

Cost estimates for stability

73. Cost estimates for stability, drainage, freeboard, and subdivision are provided separately to the cost tables below as decisions have not yet been made on how stability requirements would apply. The Package 2 public consultation is seeking specific feedback on how these requirements should apply to existing vessels. The proposed changes primarily relate to the type of stability assessment required and requiring more vessels to have a freeboard mark or visual placard on their vessel. Estimated costs for different types of stability assessment are set out below.

[10] The current standard requires an EPIRB to operate on 406 MHz; be GNSS enabled; and be provided with an Automatic Identification System (AIS) locating signal.

Table 1: Estimated costs for stability requirements

Requirement	Estimated cost
Stability assessment - a swamp test, heel test and person recovery test	$2,500 in survey fees (plus an additional $1,500 if swamp test undertaken by calculation)
Stability assessment - heel test	$2,000 in survey fees
Stability assessment - comprehensive GZ stability assessment	Up to $15,000 - $10,000 in survey and naval architecture fees - $5,000 to create lines plan of the vessel if not available
Freeboard marked on a vessel	$2,000 in survey fees and another $2,500 in materials and labour for the mark to be applied
Towing assessment	$2,500 in naval architecture and design approval fees

Cost estimates for existing vessels of 6 metres or less in length

74. Approximately 455 vessels are 6 metres or less in length overall. This is approximately 20% of the domestic commercial fleet.

Table 2: Vessels of 6metres or less. Cost estimates, Package 2

Rule part	Item	Est. cost per item
Electrical	Minimum electrical safety standards	$500 - $650
	Navigation lights alternative power (*assumes this will be separate battery-powered lights*)	$200
	Emergency lighting *(assumes this will be a battery-powered torch)*	$100
Radio Equipment	Master must carry a means of communication *(In many cases the master will be able to carry a cell phone which we assume they already own)*	$0 - $500

Cost estimates for existing vessels of more than 6 metres in length and less than 12 metres

75. Approximately 900 vessels are more than 6 metres in length overall and less than 12 metres in length overall. This is approximately 39% of the domestic commercial fleet.

Table 3: Vessels more than 6 metres in length and less than 12 metres. Cost estimates, Package 2

Rule part	Item	Est. cost per item
Electrical	Minimum electrical safety standards	$1,000 - $1,300
	Navigation lights alternative power (*assumes this will be separate battery-powered lights*)	$200
	Emergency lighting *(assumes this will be a battery-powered torch)*	$100
	Label essential circuits on the switchboard	$200
Radio Equipment	Master must carry a means of communication *(In many cases the master will be able to carry a cell phone which we assume they already own)*	$0 - $500
	EPIRB *(Float free or manually released, depending on details of operation)*	$400 - $800

Cost estimates for existing vessels of 12 metres or more in length and less than 24 metres

76. Approximately 835 vessels are 12 metres or more in length overall (LOA) and less than 24 metres in load line length (LLL). This is approximately 36% of the domestic commercial fleet.

Table 4: Vessels of 12 metres or more in length and less than 24 metres. Cost estimates, Package 2

Rule part	Item	Est. cost per item
Electrical	Minimum electrical safety standards	$1,000 - $1,300
	Navigation lights alternative power	$400 - $520
	Emergency lighting *(assumes this will be a battery-powered torch)*	$100
	Label essential circuits on the switchboard	$200

Cost estimates for existing vessels of more than 24 metres in length and less than 45 metres

77. Approximately 130 vessels are more than 24 metres in length overall and less than 45 metres in length overall. This is approximately 6% of the domestic commercial fleet.

Table 5: Vessels of 24 metres or more and less than 45 metres in length. Cost estimates, Package 2

Rule part	Item	Est. cost per item
Electrical	Minimum electrical safety standards	$2,000 - $2,600
	Accessible switchboard for navigation lights	$1,000 - $1,300
	Items applying to fishing vessels: • Navigation light fail indicator • Emergency lighting • Navigation lights alternative power	$500 - $5,000

Make-up of the fleet

78. Approximately 2,300 vessels are active in the fleet. Approximately 3,000 vessels are listed by type. The total number of vessels listed by type exceeds the number of active vessels because a vessel can be certified to operate as more than one type.

Table 6: Make-up of the New Zealand fleet by type

Vessel type	% of fleet *(approx.)*
Passenger	42%
Non-passenger (workboats)	35%
Fishing	20%
Other *(sailing; barge; specified limits permits)*	3%

Table 7: Percentage of vessels by length

Vessel length band	% of fleet *(approx.)*
6m or less	20%
More than 6m and less than 12m	39%
12m or more and less than 24m	36%
24m or more and less than 45m	5%

Future consultation

79. This is the second package of DCE rule topics to be consulted on. We expect consultation on the remainder of the proposed rule set to take place over the next 12 months, as follows:

Package 3: Consultation expected to open late 2025	• Accommodation, Access, and Personal Safety • Lifting Appliances • Navigation Equipment • Survey and Certification
Package 4: Consultation expected to open in 2026	• Cape Town Agreement consequential amendments • Other Ships • Convention Rule Parts – SOLAS, Tonnage, Load Line

Implementation, monitoring and review

80. The proposed new DCE rules are being consulted on in four packages. The intention is that all the new rules and MTIs will take effect at the same time. Transition periods and grandparenting will apply to some rules. These are described in the documentation for individual topics.

81. The proposed rules and MTIs are expected to be in force in 2026, at which time they will replace the current DCE rules. This date is an estimate, and is subject to feedback received during consultation, and the time it takes for the rules and consequential changes to regulations to progress through the legislative process.

82. Materials will be developed to support implementation. These are expected to include updated instructions and guidance to surveyors, updated delegations, and potentially the development of templates for use during survey.

83. Maritime NZ will monitor the implementation of the new rules and MTIs. We anticipate that any issues identified will be addressed through the regular Rule Amendment Process, which makes changes to a range of Maritime and Marine Protection Rules.

Appendix 1: Consultation questions

Submissions can be made by completing the submission form on Maritime NZ's website (https://www.maritimenz.govt.nz/public/consultation/dce-40-series-package-2/). You can email the form to us at 40.series@maritimenz.govt.nz, or post it to the Regulatory Reform Projects Team, Maritime NZ, PO Box 25620, Wellington 6140.

We welcome any feedback you would like to provide.

The letters and numbers in front of each question indicate what the question relate to, that is, G (general approach), SF (stability, drainage, freeboard, and subdivision), W (watertight and weathertight) and R (Radio).

Questions about the general approach

General approach	G 1. Do you have any comments about the general approach to reforming the DCE rules? (For example, harmonising and consolidating requirements across vessel types, basing requirements on risk, putting detailed requirements in MTIs, grandparenting of some requirements?)
Second-hand vessels entering the NZ fleet	G 2. Do you agree that a second-hand vessel that enters the New Zealand fleet should be treated as an existing vessel if it holds current certification from AMSA or a recognised classification society?
Second-hand vessels entering the NZ fleet	G 3. Do you think the proposed approach to second-hand vessels entering the New Zealand fleet would have any negative impacts on the wider maritime sector or New Zealand? If so, what might these be?
Second-hand vessels entering the NZ fleet	G 4. When a second-hand vessel enters the New Zealand fleet with current certification from AMSA or a recognised classification society, do you agree that it should need to meet any upgrade requirements (e.g. safety or accessibility) at the point of entry? (An existing New Zealand vessel would need to meet to meet those requirements after a transition period – e.g. five years).

Stability, Drainage, Freeboard, and Subdivision Questions

Part A: The application of the proposed rules	
Application to existing vessels	SF Part A.1. How should the proposed new rules apply to existing vessels?
	SF Part A.2. Do you agree that any or all of the additional considerations, set out in Figure 1, should be factored into the decision on how to apply the proposals to existing vessels? Are there other factors that should be considered? **Note:** The reference to Figure 1 above refers to Figure 1 in the Policy Summary for Stability, Drainage, Freeboard, and Subdivision. The additional points to consider relate to applying the new requirements to existing vessel if they are a passenger vessel or if there had been a change in ownership; and requiring existing vessels to meet the general requirements.
	SF Part A.3. If you do not currently have stability information available, or do not have a freeboard mark or placard, how do manage any potential stability issues that could arise during the operation of your vessel?
Application to vessels new to the fleet	SF Part A.4. How should the proposed new rules apply to a vessel that is new to the fleet?
	SF Part A 5. What type of stability information would a vessel that is new to the fleet likely to have?
Part B: The proposed new rules for stability, drainage, freeboard and subdivision	
A new approach for categorising vessels based on their complexity and characteristics	SF Part B.1 Do you agree with using the new approach, of categorising a vessel according to its complexity (high or low) and characteristics (open or decked), for determining a vessel's stability, drainage, freeboard, and subdivision requirements?
	SF Part B.2 Do you agree with the thresholds for determining whether a vessel is high complexity? Are the thresholds set at the right level? Are there additional factors that could be considered?
	SF Part B.3 Do you agree with consolidating the terms used to categorise a vessel's configuration and only using the terms open and decked? Do you agree how the distinction between an open and decked vessel is determined?

Proposal 1: New approach to categorising vessels and its impact on a vessel's stability requirements	SF 1.1. Do you agree that the different types of stability assessments applied to a vessel, depending on its complexity and characteristics of the vessel, are appropriate?
	SF 1.2. Do you agree with the restrictions and limitations placed on open vessels?
	SF 1.3. Do agree with allowing collared vessels, which have met the assessment requirements of a high complexity vessel, to proceed beyond restricted limits or inshore fishing limits if certain caveats have been met?
	SF 1.4. Do you agree with the estimated impacts (including costs) of the proposed changes?
Proposal 2: Stability assessment and documentation requirements	SF 2.1. Do you agree with the proposed changes to the stability tests and documentation requirements?
	SF 2.2. Do you agree with the estimated impacts (including costs) of the proposed changes?
Proposal 3: Assigning and Marking Minimum Freeboard	SF 3.1. Do you agree with the proposals for assigning and requiring high complexity vessels to have a freeboard mark or visual placard?
	SF 3.2. Do you agree with the estimated impacts (including costs) of the proposed changes?

Watertight and Weathertight Questions

Proposal 1: Consolidating rules across vessel types and aligning with the NSCV C2	W 1.1 Do you agree with the proposed change to align watertight and weathertight requirements across different vessel types and with Australia's NSCV C2?
Proposal 2: Changes to ventilators	W 2.1 Do you agree with the proposed change to allow ventilators in the sides of ships (wall ventilators)?
Proposal 3: Changes to portholes	W 3.1 Do you agree with the proposed changes to allow opening portholes to be fitted to new vessels provided certain conditions are met including that they: - are located as high as possible towards the freeboard deck - are not in a major fire hazard area or the forward quarter of the hull

	- are fitted with hinged watertight deadlights and are securely closed when the vessel is underway - have indicators on the bridge that indicate they are open or closed, if passengers are carried?
Proposal 4: Changes to protection for glazed openings	W 4.1 Do you agree with the proposal for glazed openings on new vessels operating beyond inshore limits or inshore fishing limits to be tested to 1.5 times their design pressure rating, or have deadlights or storm covers fitted?
	W 4.2 Do you agree with the proposal for glazed openings on new vessels operating beyond inshore limits or inshore fishing limits to be subject to new construction and design standards specified in rules, rather than the discretion of a surveyor?
	W4.3 Do you agree with only applying this proposal to new vessels?

Electrical Questions

Proposal 1: Specifying requirements for lithium-ion batteries	E 1.1 Do you agree that the design and installation of Li-ion batteries should comply with AS/NSZ 3004.2 or classification society rules and be approved by an electrical surveyor?
Proposal 2: Specifying requirements for electric propulsion	E 2.1 Do you agree that electric propulsion systems should comply with the new version of AS/NZS 3004.2 or with classification society rules?
Proposal 3: Removing the requirement for existing vessels to comply with AS/NZS 3004.2, and specifying minimum electrical safety requirements as an alternative	E 3.1 Do you agree with the proposal to give operators of existing vessels an option to comply with a set of minimum electrical safety requirements specified in an MTI, as an alternative to complying with AS/NZS 3004.2?
Proposal 4: Changes to requirements to have an alternative source of electrical power	E 4.1 Do you agree that all vessels should have alternative sources of electrical power available for essential equipment (navigation lights, emergency lighting, radio power and light, electronic control systems and alarms, electrically powered bilge pumps)?

	E 4.2 Do you agree that alternative power circuits should be labelled on the switchboard so that non-essential circuits can be switched off in an emergency?
Proposal 5: New vessels with electric engine starting would require a dual battery system with a changeover switch	E 5.1 Do you agree that new vessels with electric engine starting should have a dual battery system with a changeover switch so that the engine can be started from either battery?
Proposal 6: Specifying responsibilities of operators, and persons who carry out marine electrical work	E 6.1 Do you agree that the duties of vessel operators, and persons who carry out marine electrical work should be clarified in the rules?
	E 6.2 Do you agree that the persons who carry out marine electrical work should issue a written statement confirming that the work they did is safe; complies with the Electrical Rules and MTI; is tested in accordance with the Electrical Rules and MTI; and complies with the electrical design approval, where one is required?

Radio Equipment Questions

Proposal 1: On some passenger vessels the master would need to carry a means of communication.	R 1.1 Do you agree that the master of every passenger and sailing vessel of less than 12 metres in length that does not proceed beyond the inshore limit should carry a means of communication (cell phone, portable VHF radio or PLB) on their person?
Proposal 2: EPIRBs	R 2.1 Do you agree that more vessels in the fleet should carry an EPIRB?
	R 2.2 Should smaller vessels and vessels where it is impractical to carry a float-free EPIRB be allowed to carry a manually activated EPIRB?
Proposal 3: Radio equipment requirements for dive boats and fishing boats operating under a SOP	R 3.1 Do you agree that Safe Operating Plan (SOP) dive boats and SOP fishing boats should meet the same radio communication requirements as other vessels of the same size and type operating in the same area?

Appendix 2: A 'snapshot' of the proposed changes in Package 2

Part 3B Stability, Drainage, Freeboard and Subdivision Rules

Main changes	What would change	Rule reference
Application	**For vessels already in the fleet** – decisions on how the proposed changes would apply to existing vessels have not been determined. Feedback is sought on how to balance a vessel's safety with the cost and practicality of requiring some vessels to meet the new requirements. This is discussed in Part A of the proposal summary document for the Stability, Drainage, Freeboard and Subdivision Rules. **For vessels new to the fleet** – the new rules would apply to all vessels that enter New Zealand's fleet.	
Categorising a vessel based on its complexity and characteristics	Vessels would be categorised as high or low complexity **and** either open or decked. How a vessel is categorised would generally determine what stability, drainage, freeboard and subdivision rules apply. • **High or low complexity:** - A high complexity vessel has one or more of the following features: 24m or more LLL; carries more than 50 persons, or more than 12 persons if it is an open vessel; operates beyond restricted limits or inshore fishing limits; carries cargo (other than catch) weighing more than 8% of lightship displacement; as part of its standard operation tows another vessel that is greater than twice its length; has a lifting appliance where the safe working load exceeds 1% of lightship displacement, or 300 kg, whichever is greater; is a fishing vessel or an open vessel of 12m or more in LOA; is a fishing vessel that engages in trawling, dredging, or other activities where heavy gear is towed, or is engaged in purse seining. - A low complexity vessel is not a high complexity vessel. • **Open or Decked.** A vessel would be categorised as <u>either</u> open or decked depending on its characteristics, as applicable: - residual stability with recesses swamped - the ability of the vessel to shed water from decks or drain water from recesses - the minimum freeboard of the vessel to the deck.	Rules C2.2, C2.3 and MTI Section

<table>
<tr><th>Main changes</th><th>What would change</th><th>Rule reference</th></tr>
<tr><td>Overview of stability, drainage, freeboard and subdivision requirements</td><td>
<table>
<tr><th></th><th>Open ship</th><th>Decked ship</th></tr>
<tr><td>Low complexity</td><td>Tests: Would require a swamp test; heel test; person rescue and recovery test; and damage test (for vessel with inflatable collars or air chambers)
General: Would need to meet general requirements for damage stability; and meet minimum assigned freeboard.</td><td>Tests: Would require a heel test; and damage test (applicable to inflatable collars and air chambers)
General: Would need to meet general requirements for damage stability; comply with drainage requirements; have minimum freeboard assigned; and comply with subdivision requirements if 12m or more LOA</td></tr>
<tr><td>High complexity</td><td>Tests: Would require comprehensive intact stability assessment; and damage test (for vessel with inflatable collars or air chambers)
General: Would need to meet general requirements for damage stability; drainage requirements (may use bilge pumps able to withstand swamp event); have minimum freeboard assigned and marked; and have draught marks if 12m of more LOA.</td><td>Tests: Would require comprehensive intact stability assessment; and damage test (for vessel with inflatable collars or air chambers)
General: Would need to meet damage stability requirements; drainage requirements; have minimum freeboard assigned and marked; and if 12m of more LOA have draught marks and comply with subdivision requirements</td></tr>
</table>
</td><td>Rules C1.1; Rules Subpart C, Sections 3, 4, 5, 6, 9, 10, 11 & 12. MTI Sections 3, 4, 5, 6, 9, 10, 11 & 12.</td></tr>
<tr><td>A vessel’s stability would need to be assessed if certain thresholds are met</td><td>A vessel’s stability would need to be assessed if a major alteration or a major change to a vessel’s operation or any other change causes a vessel’s lightship condition to differ, either individually or cumulatively, by equal to or greater than the following percentages:
4% lightship displacement
2% LCG (as a percentage of LOA)
1% VCG.</td><td>Rule C1.3</td></tr>
<tr><td>Stability information</td><td>A low complexity vessel would require a stability compliance report and a stability statement.
A high complexity ship would require a stability booklet.</td><td>Rules C7.2 & C7.3</td></tr>
</table>

Main changes	What would change	Rule reference
Freeboard - assigning and marking minimum freeboard	• Low complexity vessel: Tables in MTI specify minimum tabulated freeboard based on vessel length and whether it is open or deckled. • High complexity vessel (less than 24m LLL): Minimum freeboard would be assigned primarily based on scantling draught or stability assessment. Freeboard marking or placard would be required for all high complexity vessels. • Vessels less than 24m LLL that carry cargo would no longer have to meet the load line requirements under the current Rule Part 47 (load line).	Rule C10.3 & MTI 10.2 Rule C11.2 & MTI 11.2
Towing assessment	• Requirements for vessels that tow by a means of a tow rope (not just tugs). • Requirements depend on size of the vessel being towed. Requirements based on whether the towed vessel is likely to more than twice displacement of the towing vessel or likely to be greater than twice the length of the towing vessel. • No additional requirements if the vessel being towed is likely to be less than twice the displacement of the towing vessel.	Rule C8.4 & MTI 8.4.
Lifting	• Open vessels would not be able to be fitted with lifting appliances with safe working loads exceeding 300 kg or 1 percent lightship, whichever is greater. • For low complexity open vessels, maximum 7-degree angle of heel or minimum heeled freeboard of 250 mm around the periphery of the vessel when lifting.	Rule C2.2, C3.4 C4.4

Part 3C Watertight and Weathertight Rules

Main changes	What would change	How the proposal would apply	Rule reference
Existing vessels	Grandparenting would apply to existing vessels for most requirements – which means they can continue to comply with the rules that apply now.		
Ventilator requirements would include more detail	Ventilators in Positions 1 and 2* would need to be of adequate strength; face aft or inboard or otherwise be protected from the elements; have coamings high enough to prevent downflooding; and meet minimum height requirements. A ventilator would generally require a weathertight closing appliance unless it meets height and downflooding requirements and includes a baffle and a means to drain water.	Would apply to all <u>new</u> vessels of less than 24m in length in all operating limits when rules take effect. * In broad terms Positions 1 and 2 refer to exposed freeboard decks, raised quarterdecks or exposed decks lower than 3 standard heights of superstructure above the freeboard deck.	Rule C5.2(1) MTI Section 5

Main changes	What would change	How the proposal would apply	Rule reference
Ventilators in the sides of a vessel (wall ventilators) would be allowed	Wall ventilators would be allowed, if they are fitted with an internal baffle that rises above the upper edge of the exterior opening, so that water entering the inlet would fall within the air box and does not flood over the baffle.	Would apply to all new vessels of less than 24m in length in all operating limits when rules take effect. Existing vessels would have the option of meeting new rules for wall ventilators.	Rule C5.2(2) MTI Section 5
Construction standards for glazed openings	The design and construction of a glazed opening would need to comply with a standard that is appropriate to the type and operation of the vessel. The options include classification society rules and a range of ISO standards.	Would apply to all new vessels of less than 24m in length in all operating limits when rules take effect.	Rule C7.2 MTI 7.2(2)
Glazing standards or additional protection for glazed openings	Glazed openings would need a safety factor of 1.5 applied to their design pressure (or have deadlights or storm covers) if located on: - a deckhouse or superstructure with direct access leading below deck; or - a deckhouse or superstructure that is considered buoyant, based on the stability calculations prescribed in the new Part 3B: Maritime (Design, Construction, and Equipment – Stability, Drainage, Freeboard, and Subdivision) Rules.	Would apply to all new vessels of less than 24m in length, operating beyond inshore limits / beyond inshore fishing limits. Would apply when rules take effect.	Rule C7.2 MTI 7.2(4)
Opening portholes	Opening portholes would be allowed below the weather deck subject to conditions: - located as close as possible to the freeboard deck; not in high-risk areas; minimum distance above the deepest loaded waterline; - hinged watertight deadlights would need to be fitted; - control measures would be required to ensure the portholes are not opened while vessel is underway	Would apply to all new vessels of less than 24m in length in all operating limits when rules take effect. Existing vessels would have the option of meeting new rules for opening portholes.	Rule C7.2 MTI 7.2(6)-(8)

Part 3F Electrical Rules

Main changes	What would change	How the proposal would apply	Rule reference
Persons who carry out marine electrical work	Marine electrical workers would need to: - Confirm that the work they do is safe; is tested; complies with the Electrical Rules and MTI; and complies with the electrical design approval where one is required. - Provide records of inspections and tests, and a written statement to the vessel operator.	Would apply to marine electrical work on all vessels when the new rules take effect.	Rule B1.4
Option of meeting minimum electrical standards	As an alternative to complying with AS/NZS 3004.2, existing vessels would be able to comply with minimum safety requirements described in the Appendix to the MTI.	Would apply to existing vessels of less than 45m LOA.	Rules C1.1 MTI 2.1(2)(b) & Schedule 1
Alternative source of electrical power	Vessels would require an alternative source of electrical power that can provide power to essential equipment* if the main source of power fails. * navigation lights, emergency lighting, radio power and light, electronic control systems and alarms, and electrically powered bilge pumps	Would apply to all vessels. Five year transition would apply for existing vessels.	Rule C3.1
Switchboard arrangements	Circuits providing power to essential equipment would need to be clearly labelled on the switchboard so that non-essential circuits can be easily switched off in an emergency.	Would apply to all vessels. Five year transition would apply for existing vessels.	Rule C3.2(4)(a)
	Circuits for essential equipment would need to be arranged separately on the switchboard.	Would apply to new vessels.	Rule C3.2(4)(b)
Alternative power capacity would reduce for most vessels	The current 12 hours battery capacity would reduce for most vessels: - Enclosed water limits 2 hours - Inshore limits & Inshore fishing limits 3 hours - Coastal limits 6 hours - Offshore and unlimited 12 hours *(no change)*	Would apply to all vessels when the new rules take effect.	Rule C3.3
Navigation light alternative power	All vessels would need to have an alternative (i.e. emergency) source of power for navigation lights. Vessels of less than 12m LOA operating in restricted limits / inshore fishing limits would be able to carry battery-operated navigation lights for use as alternative navigation lights if the main navigation lights fail.	Would apply to all vessels. Five year transition would apply for existing vessels.	Rule C4.1

Main changes	What would change	How the proposal would apply	Rule reference
Emergency lighting	All vessels would require emergency lighting. Existing vessels, and all vessels of less than 12 metres in length overall operating in restricted limits or inshore fishing limits, would be able to use a waterproof rechargeable torch or a fixed battery-operated lamp as emergency lighting.	Would apply to all vessels. Five year transition would apply for existing vessels.	Rules C5.1 and 5.2
Electronic control systems and alarm systems	Networked, and integrated, alarm systems, electronic control and monitoring systems, and the software and hardware supporting them, would need to be designed and installed in accordance with the relevant rules of a classification society and have an alternative power supply.	Would apply to any vessel that has these systems. Five year transition would apply for existing vessels.	Rules C7.1 and C7.2
Electric propulsion	Electric propulsion components, systems and arrangements would need to comply with the rules of a classification society or (for vessels up to 50m LOA) the revised version of AS/NZS 3004.2 (due to be published in 2025).	Would apply to all vessels when the new rules take effect.	Rule C8.1 and MTI
Batteries used for engine starting	A new vessel with electric starting for the main propulsion engine would need a dedicated battery / battery bank to start the engine and another battery / battery bank to supply electrical services on the vessel. A changeover switch would be required so that the engine can be started from either battery / battery bank.	Would apply to new vessels with electric starting.	Rules C9.1(9) and MTI 2.5(2)
Lithium-ion batteries	An Electrical Design Approver / Electrical surveyor would need to approve the design and installation of a Li-ion battery.	Would apply to all vessels when the new rules take effect.	Rule C9.1(11)

Part 3G Radio Equipment Rules

Main changes	What would change	How the proposal would apply	Rule reference
The master would need to carry a means of communication	The master would need to carry: • a cellular phone - if the vessel operates within cell phone coverage; or • a hand-held (i.e. portable) VHF radio - if the vessel operates in an area where the hand-held radio has sufficient range to make a call on channel 16; or • a PLB.	Would apply to new and existing passenger and sailing vessels of less than 12m in length that operate within restricted limits. Would apply when the new rules take effect	Rule C2.2(1) MTI 2.2

Main changes	What would change	How the proposal would apply	Rule reference

More vessels would need to carry an EPIRB	• An EPIRB would need to be float-free unless an exception applies.
	• The following vessels would be allowed to carry a manually activated EPIRB:
	  ○ Vessels of less than 12m in length operating in restricted limits
	  ○ Fishing and dive boats operating under a SOP
	  ○ Vessels operating in inshore limits that do not have a suitable space for an EPIRB hydrostatic release unit.
		Would apply to all vessels except vessels of 6m or less that do not operate beyond enclosed water limits.
		Would apply when the new rules take effect.
			Rule C2.2(1)
			MTI 2.2
			MTI 3.2

EPIRBs would need to meet new performance specifications	All EPIRBs would need to operate on 406 MHz, be GNSS enabled and have AIS capability.	Would apply to all new and existing vessels. Existing vessels would have five years to meet the requirements.	Rule C2.2(1) MTI 2.2 MTI 3.2
SOP Dive boats and Fishing boats would not have separate rules	Radio Equipment requirements for dive boats and fishing boats that operate under a SOP would be the same as for any other vessels of the same size and type operating in the same area.	Would apply to all new and existing SOP dive boats and SOP fishing boats when rules take effect	Rule C2.2(1) MTI 2.2

Appendix 3: Summary of submissions received from Package 1 Public Consultation

Some themes and key points from submissions on the Package 1 public consultation are summarised below. Note that this is not comprehensive and does not cover every point made by submitters. All feedback is being considered and will be incorporated, where appropriate, into the final drafts of the Rules and MTIs.

General

Many submitters supported the proposed changes or did not expressly oppose them but were concerned about costs for existing operators. Two submitters suggested that New Zealand Maritime Rules should align with NSCV, or that New Zealand should adopt the NSCV.

One submission suggested that there was insufficient evidence in support of change. They suggested that less regulation was required, and that operators should be able to manage risks themselves.

Anchors & Cables rules and Machinery & Ancillary Equipment rules

Submitters generally supported the proposals. Some submitters provided helpful comment or suggested clarifications to specific technical details.

Fire Protection rules

Feedback on the proposals was mixed. Much of the feedback generally supported the proposals or partially supported the proposals with comment on specific technical details.

Fire detection and alarm systems: The proposals were broadly supported. One submitter was concerned about potential disruption caused by false alarms.

Fixed fire extinguishing (FFE) systems: Two submitters noted the challenge of making an existing engine room sufficiently gas-tight to allow a fixed fire extinguishing (FFE) system to work properly. One was concerned about potential health risks associated with the chemicals used in FFE systems.

Fire risk classification: One submission opposed the whole approach, arguing that there is no historical evidence to support it. Other submitters thought the 15 metre threshold between low fire risk and medium fire risk was too low, or that all inshore fishing vessels should be treated as low risk.

Application to existing vessels: One submission suggested that new proposals should not apply to existing vessels. Other submitters thought that longer transition timeframes should apply.

Life-saving Appliances rules

Lifejackets. All submitters agreed that all persons on board should have a lifejacket. Some expressed concern about servicing arrangements for life jackets, including the frequency of servicing. There were mixed views on when the lifejacket requirements should come into effect. Some suggested they should come into effect when the rules came into effect, some thought a two-year transition period was reasonable while

others suggested a longer transition period, for example, five years. One submitter suggested that lifejackets should have age limits for what can be used.

Liferafts. Some submitters strongly supported requiring liferafts in the inshore limits, while others were strongly opposed, with concerns about access to servicing and cost. One submission opposed the proposed thresholds of operating south of 44 degrees south latitude or in water temperatures under 15 degrees centigrade – but others supported these proposals. Two submitters opposed relaxing liferaft standards to allow open life rafts because they could expose occupants to the risk of hypothermia.

Rescue boats. Most submitters supported more flexible arrangements for rescue boats. Some submitters also questioned the proposal to allow tenders or other auxiliary craft to be used as rescue boats. Submitters opposed proposals to extent requirements for a rescue boat to inshore limits and vessels with 12 passengers or more in coastal limits.