

Secondary Legislation

Part 3G:

Maritime (Design, Construction, and Equipment – Radio Equipment Rules [year])

DRAFT FOR PUBLIC CONSULTATION

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Subpart A General

Section 1 Preliminary provisions

A1.1 Title

This Part may be cited as Part 3G: Maritime (Design, Construction, and Equipment – Radio Equipment) Rules [year].

A1.2 Commencement and revocation

- (1) This Part comes into force on [].
- (2) [List current relevant 40-series Parts/provisions] are revoked.

A1.3 Application

- (1) This Part applies to—
 - (a) the design and construction of New Zealand ships that are commercial ships; and
 - (b) the design and performance of radio equipment on those ships; and
 - (c) the operation, maintenance, testing, and survey of radio equipment on those ships; and
 - (d) radio-related information on those ships.
- (2) Except as provided for in subrule (3), this Part does not apply to a ship to which any of the following Parts apply:
 - (a) Part 2A: Maritime (Design, Construction, and Equipment – SOLAS Ships) Rules:¹
 - (b) Part 404: Design, Construction, and Equipment – New Zealand Cape Town Vessels and Foreign Cape Town Vessels:
 - (c) Part 40G: Design, Construction, and Equipment – Novel Ships:
 - (d) Part 40F: Design, Construction, and Equipment – Hovercraft:
 - (e) Part 82: Commercial Jet Boat Operations – River.
- (3) Section 12 of Subpart C applies to a ship to which Part 2A: Maritime (Design, Construction, and Equipment – SOLAS Ships) or Part 404: Design, Construction, and Equipment – New Zealand Cape Town Vessels and Foreign Cape Town Vessels apply.
- (4) An existing ship is required to comply with this Part only to the extent specified in the Schedule.

A1.4 Certification

A ship must be certified for compliance with this Part in accordance with Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules.²

A1.5 Transitional and savings provisions

The transitional, savings, and related provisions set out in the Schedule have effect according to their terms.

¹ Draft Rule Part 2A to be consulted on in 2026.

² Draft Rule Part 1A and MTI to be consulted on in 2025/26.

Section 2 Interpretation

A2.1 Conflict

If a conflict exists between this Part and an MTI, or an MTI made under section 452B of the Act for the purposes of any other Part, this Part applies.

A2.2 References to rules and MTIs

- (1) Where a rule in this Part contains a reference to a rule in another Part, the reference includes the Part number as the prefix to the reference.
- (2) A reference, in this Part, to a rule includes any MTI provided for in the rule.
- (3) A reference to an MTI in a rule in this Part is a reference to an MTI as amended or replaced from time to time.
- (4) An MTI is secondary legislation (see Part 3 of the Legislation Act 2019 for publication requirements).

A2.3 Definitions

In this Part, unless the context otherwise, requires,—

Act means the Maritime Transport Act 1994

AIS means automatic identification system

AIS-SART means automatic identification system search and rescue transmitter

Certificate of Survey means a certificate issued under Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules

Certificate of Surveyor Recognition has the meaning set out in Part 44: Surveyor Responsibilities and Survey, Certification, and Maintenance for Ships in Maritime Transport Operations

commencement date means the date specified in rule A1.2

commercial ship has the meaning set out in section 2(1) of the Act

continuous radio watch means a radio watch that is not interrupted other than—

- (a) for brief intervals when the ship's receiving capability is impaired; or
- (b) when the radio equipment is under periodic maintenance or testing; or
- (c) in the case of a radiotelephony watch on VHF or MF/HF, when the receiver is being used to obtain vital information on other channels or frequencies

crew has the meaning set out in section 2(1) of the Act

Director has the meaning set out in section 2(1) of the Act

enclosed water limits has the meaning set out in Part 20: Operating Limits

EPIRB means emergency position indicating radio beacon, being a transmitter operating in the frequency band 406.0-406.1 MHz capable of transmitting a distress alert via satellite to a rescue coordination centre and transmitting signals for on-scene locating

existing ship means a ship that—

- (a) is a New Zealand ship on the day before the commencement date; or
- (b) becomes a New Zealand ship on or after the commencement date and holds current certification—
 - (i) confirming the ship was constructed under survey and in accordance with the rules of a classification society; or

- (ii) from an Australian authority authorised to issue certification in accordance with the Marine Safety (Domestic Commercial Vessel) National Law Act 2012]

[Under consideration - see commentary in Invitation to Comment.](#)

fishing ship means a ship that is required to be registered under the Fisheries Act 1996 other than eel fishing boats

GMDSS means Global Maritime Distress and Safety System

HF means high frequency, being the frequency spectrum between 3,000kHz and 30MHz

international voyage means a voyage to or from a port outside of New Zealand

like-for-like, in relation to repairs or replacements means—

- (a) the replacement of equipment or materials for equipment or materials that are similar in design, function, use, and maintenance, whether or not they are from the same manufacturer; and
- (b) no additional alteration or modification of existing finishes or fixtures is required to install and occupy the same or similar footprint as the original equipment or materials

LLL means load line length and has the meaning set out in Part 2C: Maritime (Design, Construction, and Equipment – Load Line) Rules³

LOA means the length overall of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the ship; and—

- (a) includes structures such as deckhouses that project beyond those terminal points; and
- (b) does not include fittings such as beltings, bowsprits, platforms, pulpits and booms that project beyond those terminal points

major alteration—

- (a) means an alteration or repair to the design or construction of a ship and its structure, systems, equipment, or fittings specified in Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules; and
- (b) includes the replacement, removal, or addition of non-permanent parts; and
- (c) does not include direct like-for-like repairs or replacements of parts

maritime document has the meaning set out in section 2(1) of the Act

maritime safety information (MSI) means navigational and meteorological warnings, meteorological forecasts, and other urgent safety-related messages broadcast to ships

maritime transport instrument (MTI) means a transport instrument, made by the Director, for the purposes of this Part or any other Part, under section 452B of the Act

maritime transport operation has the meaning set out in Part 19: Maritime Transport Operator – Certification and Responsibilities

master has the meaning set out in section 2(1) of the Act

MF means medium frequency, being the frequency spectrum between 300kHz and 3,000kHz

new ship means—

- (a) a ship that is not an existing ship; or
- (b) a ship, the keel of which is laid, or that is at a similar stage of construction, on or after the commencement date

³ Draft Rule Part 2C and MTI to be consulted on in 2026.

New Zealand ship has the meaning set out in section 2(1) of the Act

non-passenger ship means a ship that is not a passenger ship

offshore limits has the meaning set out in Part 20: Operating Limits

operate has the meaning set out in section 2(1) of the Act

Part means a group of rules made under the Act

passenger has the meaning set out in section 2(1) of the Act

passenger ship means—

- (a) for a ship that does not proceed beyond restricted limits, a commercial ship that carries any passengers; and
- (b) for a ship that proceeds beyond restricted limits, a commercial ship that carries more than 12 passengers

PLB means personal locator beacon

port has the meaning set out in section 2(1) of the Act

radar-SART means a radar search and rescue transmitter

radiocommunications has the meaning set out in the Radiocommunications Act 1989

radio equipment means any radio equipment required by maritime rules to be provided on board a ship, including its associated antennas, interconnecting circuits and, where appropriate, sources of electrical energy

radio log means the record that is required to be kept under Section 10 of this Part

radio surveyor means a surveyor recognised under the Certificate of Surveyor Recognition as being qualified to survey radio equipment

radio watch means monitoring on the appropriate distress and safety frequency for the type of installation on the vessel

recognised mobile satellite service (RMSS) means any service which operates through a satellite system and is recognised by the IMO for use in GMDSS

recognised radio inspector means a person to whom the Director has issued a maritime document recognising that person as a radio inspector under rule C11.1

restricted limits has the meaning set out in Part 20: Operating Limits

SART means a search and rescue transmitter

ship has the meaning set out in section 2(1) of the Act

For ease of reference, “ship” means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes—

- (a) a barge, lighter, or other like vessel:
- (b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates:
- (c) a submarine or other submersible

standard has the meaning set out in section 4(1) of the Standards and Accreditation Act 2015 and also includes other material incorporated by reference under section 452 of the Act

surveyor means a person who holds a valid Certificate of Surveyor Recognition

unlimited area has the meaning set out in Part 20: Operating Limits

valid means—

- (a) in respect of a certificate—
 - (i) the certificate has been issued in accordance with the rules; and
 - (ii) is not expired, lapsed, suspended, or revoked; and
- (b) in respect of an endorsement—
 - (i) the certificate has been endorsed in accordance with the rules; and
 - (ii) the conditions set out in paragraph (a) are met in respect of the applicable certificate; and
 - (iii) the endorsement is not expired or suspended

VHF means very high frequency, being the frequency spectrum between 30MHz and 300MHz.

voyage has the meaning set out in section 2(1) of the Act and, for the purposes of this Part, a ship that is a barge is not on a voyage if—

- (a) a person is on board only for the purposes of anchoring or securing a mooring line so that the barge can be securely docked; or
- (b) the barge is secured with studs or anchors to the bed of the sea, river, or lake; or
- (c) the barge is secured by means of cables or mooring lines to the wharf or land.

Subpart B Responsibilities

B1.1 General responsibilities of operators

An operator must ensure that—

- (a) a ship has the radio equipment required in Subpart C and an MTI; and
- (b) a ship has the accessories supporting the use of radio equipment required in an MTI; and
- (c) a ship's radio equipment complies with this Part and the performance standards in an MTI; and
- (d) information about a ship's radio equipment is provided or registered in compliance with the requirements in Subpart C.

B1.2 Major alteration and major change to a ship's operation

An operator must ensure that a ship undergoes the appropriate survey if, as specified in Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules,—

- (a) a major alteration is made to the ship; or
- (b) a major change is made to the operation of the ship.

B1.3 Responsibilities of masters

- (1) A master must ensure, before departing on a voyage and during a voyage, that the radio equipment on a ship is—
 - (a) in working order; and
 - (b) ready for immediate use; and
 - (c) continuously maintained in accordance with the performance standards specified in Section 3 and an MTI.
- (2) A master, during a voyage, must—
 - (a) ensure that a continuous radio watch is maintained where required in this Part; and
 - (b) ensure that the radio watch is maintained at the settings for MSI and search and rescue information relevant to the ship's location; and
 - (c) ensure that at least 1 person, either a crew member or the master, meets the qualification requirements in Section 8 for distress and safety radio purposes; and
 - (d) sign each day's entries in the ship's radio log, if a radio log is required in this Part; and
 - (e) record a summary of any radio communications relating to distress or urgency, if the ship is not required to maintain a separate radio log; and
 - (f) carry a means of communication, if required to do so in an MTI.
- (3) A master, during a voyage, must designate a person for the purposes of subrule (2)(c) as having primary responsibility for—
 - (a) radio communications during distress incidents; and
 - (b) maintaining a separate radio log, if required in this Part.
- (4) A master, during a voyage, must—
 - (a) nominate a person, either a crew member or the master, to carry out the tests and checks of radio equipment and accessories supporting their use, as required in this Part; and
 - (b) ensure that the nominated person carries out the required tests and checks.

B1.4 Responsibilities of designated persons

A designated person must maintain a separate radio log, if required in this Part.

B1.5 Responsibilities of nominated persons

A nominated person must inform the master if radio equipment is not in full working order and record that in the radio log.

B1.6 Responsibilities of surveyors

A surveyor must not certify a ship under Part 1A: Maritime (Design, Construction, and Equipment – Survey and Certification) Rules unless they believe on reasonable grounds that the ship complies with this Part,

B1.7 Functions and powers of Director

The Director may—

- (a) register a ship's radio equipment for the purposes of rule C7.1; and
- (b) recognise a radio inspector for the purposes of rule C11.1.

Subpart C Ship requirements

Sections in the MTI correspond with sections in this Subpart. Unless specified in the provisions, a reference to an MTI in Subparts B and C is a reference to an MTI for radio equipment.

Section 1 General requirements for a ship's radio equipment

C1.1 General requirements for a ship's radio equipment

- (1) A ship must comply with the requirements in this Part (including the design, construction, and installation standards for radio equipment that are specified in an MTI).
- (2) A ship during a voyage must have at least 2 different types of radio equipment that together, at all times, and in all sea and weather conditions expected to be encountered, and where situational risks are present, are able to—
 - (a) send distress signals; and
 - (b) send and receive distress, urgency, safety, and general radio communications, if the ship is more than 6 metres in LOA or proceeds beyond enclosed water limits.

Section 2 Requirements for ships to have radio equipment

C2.1 General requirements for ships to have radio equipment

Ships of 6 metres or less in LOA that do not proceed beyond enclosed water limits

- (1) The radio equipment on a ship of 6 metres or less in LOA that does not proceed beyond enclosed water limits must enable distress and urgency signals to be transmitted from ship to shore.

Ships of more than 6 metres in LOA or that proceed beyond enclosed water limits

- (2) The radio equipment on a ship of more than 6 metres in LOA or that proceeds beyond enclosed water limits must be capable of—
 - (a) transmitting ship-to-shore distress alerts by at least 2 separate and independent means, each using a different radiocommunication service; and
 - (b) receiving shore-to-ship distress alert relays; and
 - (c) transmitting and receiving ship-to-ship distress alerts; and
 - (d) transmitting and receiving search and rescue coordinating communications; and
 - (e) transmitting and receiving on-scene communications; and
 - (f) transmitting and receiving signals for locating; and
 - (g) receiving MSI; and
 - (h) transmitting and receiving urgency and safety communications; and
 - (i) transmitting and receiving bridge-to-bridge communications; and
 - (j) transmitting and receiving general radiocommunications.

C2.2 Requirements for ships to have radio equipment

- (1) A ship during a voyage must have the radio equipment required in an MTI.
- (2) The radio equipment required in an MTI may include, but is not limited to, the following:
 - (a) a cellular phone:

- (b) a VHF radio:
- (c) an EPIRB:
- (d) a PLB:
- (e) an MF/HF radio telephone:
- (f) a radar-SART:
- (g) an AIS-SART:
- (h) an RMSS ship earth station.

[See clause 2.2\(1\) to \(5\) of the MTI](#)

C2.3 Additional radio equipment not required by this Part

Additional radio equipment not required by this Part, if on a ship, must be designed to ensure that any malfunction does not adversely affect the operation of the required radio equipment.

Section 3 Performance standards and technical requirements

C3.1 General requirements for performance standards and technical requirements

Radio equipment on a ship must be able to perform its intended functions at all times.

C3.2 Performance standards and technical requirements

Radio equipment on a ship must comply with the performance standards and technical requirements in an MTI.

[See clause 3.2\(1\) to \(17\) of the MTI](#)

Section 4 Accessories supporting the use of radio equipment

C4.1 General requirements for accessories supporting the use of radio equipment

The radio equipment on a ship must be accompanied by documents, signs, and other objects to assist users in the use of the radio equipment.

C4.2 Accessories supporting the use of radio equipment

A ship must have the accessories to assist users of radio equipment specified in an MTI.

[See clause 4.2\(1\) to \(7\) of the MTI](#)

Section 5 Installation, serviceability, and maintenance

C5.1 General requirements for installation, serviceability, and maintenance

Radio equipment on a ship must be installed and maintained to ensure its effective ongoing operation and serviceability, and must comply with the requirements in an MTI.

[See clause 5.2\(1\) to \(10\) of the MTI](#)

C5.2 Installation

- (1) Radio equipment must be installed in a location that—
 - (a) prevents harmful interference from mechanical, electrical, or other influences that may impair its use; and
 - (b) ensures electromagnetic compatibility and the avoidance of harmful interaction with other equipment and systems; and
 - (c) ensures the greatest possible degree of safety and operational availability; and

- (d) provides protection from the harmful effects of water, extremes of temperature, and other adverse environmental conditions.
- (2) Radio controls for operating radio equipment must be reliably and permanently illuminated by electrical lighting, independent of the main and emergency sources of electrical power.

C5.3 Serviceability and maintenance

- (1) Components forming part of radio equipment must be reliable and constructed and installed so that they are readily accessible for inspection and on-board maintenance purposes.
- (2) Adequate information must be provided on board the ship to enable radio equipment to be properly serviced and maintained.
- (3) Adequate tools and spare parts must be provided on board the ship to enable the radio equipment to be maintained.
- (4) Radio equipment availability must be maintained by employing the contingency methods of either duplication of equipment, shore-based maintenance, or electronic maintenance capability during a voyage, or a combination of these.

Section 6 Tests and checks of radio equipment

C6.1 General requirements for tests and checks of radio equipment

Radio equipment on a ship must be tested and checked periodically to ensure that any defects or faults that may interfere with its proper operation are identified and addressed at the earliest opportunity.

C6.2 Tests and checks of radio equipment

A nominated person must carry out the tests and checks of radio equipment and accessories supporting their use during a voyage, if required in an MTI.

[See clause 6.2\(2\) to \(9\) of the MTI](#)

Section 7 Registration and provision of information

C7.1 Requirements to register or provide information

A ship's radio equipment must be registered with the Director, and information about the ship's radio equipment must be provided to the Director, as specified in an MTI.

[See clause 7.1\(2\) to \(5\) of the MTI](#)

Section 8 Radio personnel

C8.1 General requirements for radio personnel

A ship during a voyage must carry at least 1 person who is proficient in the operation of radio equipment for distress and safety communications purposes.

C8.2 Personnel operating radio equipment

A person operating radio equipment on a ship during a voyage must—

- (a) be a crew member or the master; and
- (b) hold the qualifications required in an MTI.

[See clause 8.2\(1\) to \(4\) of the MTI](#)

Section 9 Radio watch

C9.1 General requirements for radio watch

A radio watch must be maintained during a voyage to receive MSI.

C9.2 Radio watch

- (1) A continuous radio watch, kept at the position from which the ship is normally navigated, must be maintained on ships specified in an MTI during a voyage.

[See clause 9.2\(1\) of the MTI](#)

- (2) Radio equipment used for radio watch purposes must be maintained on the frequency, channel, or other setting, required in an MTI.

[See clause 9.2\(3\) to \(8\) of the MTI](#)

- (3) The radio watch required in subrule (1) must be maintained for MSI on the appropriate frequency or frequencies in the area in which the ship is operating.

Section 10 Radio records

C10.1 General requirements for radio records

A record must be kept of all distress, urgency, and safety communications sent or received during a voyage.

C10.2 Radio records

- (1) On a ship to which Part 73: Logbooks applies, a separate radio log must be maintained that records—
- (a) a summary of radio communications relating to distress, urgency, and safety traffic; and
 - (b) important incidents connected with the radio service such as major equipment breakdowns, communication disruptions, and severe interference issues; and
 - (c) the position of the ship at least once a day, unless the ship is in port; and
 - (d) a summary of the condition of radio equipment, including the condition of its source of energy; and
 - (e) any other matter that an MTI requires.
- (2) These records must be entered as they occur and must include the time of occurrence.
- (3) The radio log must be kept at the operating position where distress communications are sent and received, and be readily available for inspection by—
- (a) the master; and
 - (b) the Director.
- (4) On any ship to which Part 73: Logbooks does not apply, a summary of radio communications relating to distress or urgency, together with the time of occurrence, must be made in a logbook maintained on the ship under Part 19: Maritime Transport Operator—Certification and Responsibilities.
- (5) The radio log or summary must be made available to a radio surveyor or recognised radio inspector for review and annotation when they are performing the activities specified in Section 12.

Section 11 Recognition of radio inspectors

C11.1 Process for recognition of radio inspectors

- (1) The Director must recognise a person as a radio inspector by issuing a maritime document under section 41 of the Act, if satisfied that—
 - (a) the person has applied to be recognised as a radio inspector under section 35 of the Act; and
 - (b) the person has the technical qualifications and experience to undertake the radio inspections authorised by the maritime document; and
 - (c) the person is proficient in reading, writing, and communication in the English language; and
 - (d) the person meets the other criteria in section 41 of the Act.
- (2) A maritime document issued under subrule (1) must—
 - (a) state the extent and type of radio inspections that may be undertaken by the radio inspector; and
 - (b) be issued for a period of not more than 5 years; and
 - (c) state the period for which the document is valid.

Section 12 Radio surveys and inspections

Note: the survey requirements in Part 46 – rules 46.5, 46.6 and 46.8 – will be updated to refer to the relevant provisions in the new Part 2A SOLAS Ships, which will be consulted on in 2026.

C12.1 Radio survey

- (1) Subrules (2) to (3) apply to the survey of radio equipment that must be undertaken by a radio surveyor and applies to ships that are—
 - (a) ships to which Part 2A: Maritime (Design, Construction and Equipment – SOLAS Ships) Rules applies that—
 - (i) are of 45 metres or more in LLL and proceed beyond restricted limits; and
 - (ii) are non-passenger ships of 300 gross tonnes or more that undertake an international voyage; and
 - (b) fishing ships of less than 24 metres in LLL that proceed beyond offshore limits.
- (2) Radio equipment on a fishing ship that proceeds beyond offshore limits must be surveyed—
 - (a) when it is installed; and
 - (b) annually following its installation.
- (3) The radio equipment on a ship described in subclause (1) that is not a fishing ship must be surveyed in accordance with—
 - (a) rule 46.5 of Part 46 if the ship is a passenger ship;⁴ or
 - (b) rule 46.6 of Part 46 if the ship is not a passenger ship, a sailing ship, or a ship that (c) applies to; or
 - (c) rule 46.8 of Part 46 if the ship is not a passenger ship or a sailing ship of 300 gross tonnes or more that proceeds beyond offshore limits.

⁴ See the box above regarding the use of Part 46 in this section.

C12.2 Radio inspection

Radio equipment on a ship that is part of a maritime transport operation must be inspected by a recognised radio inspector—

- (a) when it is installed or replaced; and
- (b) at least every 5 years following its installation or replacement; and
- (c) at intermediate periods if determined by the relevant survey plan under Part 19: Maritime Transport Operator – Certification and Responsibilities.

Schedule

Transitional, savings, and related provisions

1. **Meaning of commencement**

In this Schedule, **commencement** means the date on which the Part commenced under clause A1.2(1).

2. **Application to existing ships**

(1) From commencement, an existing ship must comply with this Part, subject to subclause (2).

(2) An EPIRB on an existing ship is not required to comply with the performance standards and technical requirements in this Part, provided that—

(a) the EPIRB operates on a 406 MHz frequency; and

(b) the battery of the EPIRB has not expired; and

(c) the EPIRB continues to comply with the requirements that applied to it immediately before commencement.

3. **Existing exemptions continued**

An exemption granted by the Director under section 40AA of the Act, from a requirement that is in force immediately before commencement, continues in force on and after commencement and is subject to the same conditions (if any) as applied before commencement.