



MINISTRY of TRANSPORT  
TE MANATŪ WAKA

**WELLINGTON NEW ZEALAND**

**PURSUANT** to Section 36 of the Maritime Transport Act 1994

**I, MAURICE DONALD WILLIAMSON**, Minister of Transport,

**HEREBY MAKE** the following maritime rules.

**SIGNED AT** Wellington

This *10* day of *May* 1999

by **MAURICE DONALD WILLIAMSON**

*Maurice Donald Williamson*  
Minister of Transport

**Maritime Rules**

**Part 23**

**Operating Procedures and Training**

**Maritime Transport Act 1994**

# **Maritime Rules**

**PART 23**

**OPERATING PROCEDURES AND TRAINING**

# Maritime Rules

## PART 23

### OPERATING PROCEDURES AND TRAINING

## Part Objective, Extent of Consultation and Commencement

#### *Objective*

Part 23 prescribes various operating and training procedures designed to cope with emergency situations or to prevent such situations occurring. The procedures include –

- musters lists, emergency alarms and drills, training manuals, on-board training and emergency instructions, recording passenger numbers, contingency planning, and entries to be made in the logbook;
- testing of steering gear;
- the closing of openings in the hull and watertight bulkheads;
- the issue of navigational warnings;
- the obligation to relay certain radio messages;
- distress signals;
- the master's discretion for safe navigation;
- speed near ice;
- ship's routing.

For vessels covered by the SOLAS convention, this Part implements the operating requirements of Chapter III and Chapter V of that convention, including all recent amendments.

For non-SOLAS vessels the new operating limits (as per Part 20 of the Maritime Rules) have resulted in amendments to operating and training requirements for ships operating in those limits.

The authority for making Part 23 is found in sections 36(b), (g) and (h) of the Maritime Transport Act 1994.

### ***Extent of Consultation***

On 21 February 1998 the Maritime Safety Authority published in each of the daily newspapers in the four main centres of New Zealand a notice inviting comments on the proposed Part 23. A notice was also published in the *New Zealand Gazette* on 19 February 1998. Two hundred and fifty one copies of the draft Part 23, the invitation to comment, and the accompanying advisory circular were then sent automatically to interested parties. Comments on the Part were requested to be made by 3 April 1998.

Ten submissions were received on Part 23. All submissions were considered and, where appropriate, the proposed rules were amended to take account of the comments made.

### ***Commencement***

Part 23 as amended was referred to and signed by the Minister of Transport.

Part 23 will come into force 28 days after its notification in the *Gazette*.

# MARITIME RULES

## PART 23

### OPERATIONAL PROCEDURES AND TRAINING

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## *General*

### **23.1 Entry into force**

- (1) Except as provided in rule 23.1(2), Part 23 shall come into force 28 days after notification in the Gazette.
- (2) Rule 23.16 shall come into force for ships constructed before 1 July 1997 on 1 July 1999.

### **23.2 Definitions**

In this Part –

**“Authorised organisation”** means an organisation which has entered into a memorandum of agreement with the Director in compliance with the International Maritime Organisation Assembly Resolution A.739(18) and the Annexes thereto entitled **Guidelines for the Authorisation of Organisations Acting on Behalf of the Administration**, whereby that organisation may verify compliance with and the proper functioning of shipowners’ and ships’ safety management systems in accordance with the ISM Code:

**“Authorised person”** means a person employed by an authorised organisation who has delegated powers from the Director to issue and suspend or to issue or to suspend certain maritime documents under Part V of the Maritime Transport Act 1994, pursuant to an instrument of delegation made under section 444 of the Maritime Transport Act 1994:

**“Bulkhead deck”** is the uppermost deck up to which the transverse watertight bulkheads are carried:

**“Commercial ship”** means a ship that is not -

- (a) a pleasure craft; or
- (b) solely powered manually; or
- (c) solely powered by sail:

**“Crew”** means the persons employed or engaged in any capacity on board a ship (except a master, a pilot, or a person temporarily employed on the ship while it is in port):

**“Day”** means a calendar day, being of 24 hours duration from one midnight to the next:

**“Director”** means the person who is for the time being the Director of Maritime Safety under section 439 of the Maritime Transport Act 1994:

**“Enclosed water limits”** has the same meaning as in Part 20:

**“Foreign ship”** means any ship that is not a New Zealand ship:

**“Inshore limits”** has the same meaning as in Part 20:

**“Internal waters of New Zealand”** means the internal waters of New Zealand as defined by section 4 of the Territorial Sea, Contiguous Zone and Exclusive Economic Zone Act 1977:

**“International Safety Management Code”** or **“ISM Code”** means the *International Management Code for the Safe Operation of Ships and for Pollution Prevention* adopted by the International Maritime Organisation by resolution A.741(18), as amended by that organisation from time to time:

**“International voyage”** means a voyage from New Zealand to a port outside New Zealand or the converse:

**“Logbook”** means the official logbook prescribed by Part 73 of the Maritime Rules or required by the *New Zealand Safe Ship Management Code* as appropriate for the ship:

**“Margin line”** means a line drawn at least 76 mm below the upper surface of the bulkhead deck at side:

**“Master”** means any person (except a pilot) having command or charge of any ship:

**“Fishing ship”** means a fishing ship registered under section 57 of the Fisheries Act 1983 or section 103 of the Fisheries Act 1996:

**“New Zealand Safe Ship Management Code”** means the *New Zealand Safe Ship Management Code* set out in Part 21, Appendix 6:

**“New Zealand commercial ship”** means a New Zealand ship that is a commercial ship:

**“New Zealand ship”** means a ship that is registered under the Ship Registration Act 1992; and includes a ship that is not registered under the Act but is required or entitled to be registered under the Act:

**“New Zealand waters”** means—

- (a) the territorial sea of New Zealand; and
- (b) the internal waters of New Zealand; and
- (c) all rivers and other inland waters of New Zealand:

**“Non-passenger ship”** means any ship that is not a passenger ship or a fishing ship or a pleasure craft:

**“Offshore terminal”** means any place in the sea where cargo is loaded or unloaded:

**“Part”** means a group of rules made under the Maritime Transport Act 1994:

**“Passenger”** means any person carried on a ship, other than—

- (a) the master and members of the crew, and any other person employed or engaged in any capacity on board the ship on the business of the ship; or
- (b) a person on board the ship either in pursuance of an obligation laid upon the master to carry shipwrecked, distressed, or other persons, or by reason of any circumstance that neither the master nor the owner nor the charterer (if any) could have prevented or forestalled; or
- (c) a child under the age of 1 year:

**“Passenger Ship”** means a ship that carries more than 12 passengers on a voyage beyond restricted limits, or carries any passengers on a voyage within restricted limits:

**“Pleasure craft”** means a ship that is used exclusively for the owner’s pleasure or as the owner’s residence, and is not offered or used for hire or reward: but does not include:

- (a) a ship that is provided for transport or sport or recreation by or on behalf of any institution, hotel, motel, place of entertainment, or other establishment or business; or

- (b) a ship that is used on any voyage for pleasure if it is normally used as a fishing ship or for the carriage of passengers or cargo for hire or reward; or
- (c) a ship that is operated or provided by any club, incorporated society, trust, or business:

**“Restricted coastal limits”**, in relation to a ship, means any defined section of the coastal limits which has been assigned to that ship by a surveyor under rule 20.5(1):

**“Restricted limits”** means –

- (a) enclosed water limits; and
- (b) inshore limits:

**“Rules”** includes maritime rules and marine protection rules:

**“Seaplane”** includes a flying boat and any other aircraft designed to manoeuvre on the water:

**“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; and
- (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; and
- (c) a submarine or other submersible:

**“Territorial sea of New Zealand”** or **“territorial sea”** means the territorial sea of New Zealand as defined by section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977:

**“Unlimited area”** means the unlimited area defined in rule 20.2:

**“Voyage”** means a journey by water from one port:

- (a) to another port; or
- (b) back to the same port without calling at any other port:

**“Warship”** –

- (a) means a ship belonging to the armed forces of a State and bearing the external marks distinguishing the nationality of ships of that State, being a ship –
  - (i) under the command of an officer duly commissioned by the Government of that State whose name appears in the appropriate service list or its equivalent; and
  - (ii) crewed by crew subject to regular armed forces discipline; and
- (b) includes a ship requisitioned under section 10 of the Defence Act 1990; but
- (c) does not include any ship operated by the New Zealand Defence Force that operates, for the time being, for a commercial purpose.

### ***Section 1 - Musters and drills***

#### **23.3 Definitions relating to section 1**

In this section:

**“Fast rescue boat”** means a fast rescue boat required by a maritime rule<sup>1</sup>:

**“Fire appliance”** means a fire appliance required by a maritime rule<sup>2</sup>:

**“Free-fall launching”** means that method of launching a survival craft whereby the craft with its complement of persons and equipment on board is released and allowed to fall into the sea without any restraining apparatus:

**“Length”** means register length, as defined in the Ship Registration Act 1992:

**“Lifesaving appliance”** means a lifesaving appliance required by a maritime rule<sup>3</sup>:

**“Operate on the New Zealand coast”** means, in the case of a commercial ship, to undertake a voyage or voyages from one New Zealand port or offshore

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<sup>1</sup> Any requirement for a fast rescue boat can be found in the Part 40 series of maritime rules.

<sup>2</sup> Requirements for fire appliances can be found in the Part 40 series of maritime rules.

<sup>3</sup> Requirements for lifesaving appliances can be found in the Part 40 series of maritime rules.

terminal to another New Zealand port or offshore terminal or back to the same New Zealand port or offshore terminal:

**“Rescue boat”** means a boat designed to rescue persons in distress and to marshal survival craft:

**“Ro-ro”** means roll on and roll off:

**“Ro-ro passenger ship”** means a passenger ship with ro-ro cargo spaces or special category spaces:

**“New Zealand Safe Ship Management Certificate”** means the maritime document issued under section 41 of the Maritime Transport Act 1994 in accordance with rule 21.13(7) or rule 21.13(11):

**“Simulated launching”**, in relation to free-fall lifeboats, means a drill that does not include actual launching of the boat. It must include –

- (a) the ship’s crew members taking their positions in the lifeboat with their lifejackets on; and
- (b) the lifeboat being secured in place by a restraining mechanism to prevent it launching; and
- (c) the testing of the free-fall lifeboat release mechanism:

**“SOLAS”** means the International Convention for the Safety of Life at Sea:

**“SOLAS ship”** means:

- (a) all passenger ships operating in the unlimited area; and
- (b) all non-passenger ships of 500 tons gross tonnage or over operating in the unlimited area; and
- (c) all passenger ships and non-passenger ships of 45 metres or more in length operating outside restricted limits:

**“Special category spaces”** are those enclosed spaces above or below the bulkhead deck intended for carriage of motor vehicles with fuel in their tanks for their own propulsion, into and from which such vehicles can be driven and to which passengers have access:

**“Survival craft”** means a craft capable of sustaining the lives of persons in distress from the time of abandoning ship.

**23.4 Application of section 1**

- (1) Rules 23.3 to 23.31 apply to –
  - (a) New Zealand ships; and
  - (b) foreign ships that operate on the New Zealand coast and do not proceed on an international voyage.
- (2) Rule 23.31 applies only to foreign ships when in a New Zealand port or at a New Zealand offshore terminal.
- (3) Nothing in rules 23.3 to 23.31 applies to –
  - (a) any ship within any port in New Zealand, if it is there only because of stress of weather or some other circumstance beyond the control of the owner and the master of the ship; or
  - (b) pleasure craft.

***Passenger ships on voyages in the unlimited, offshore, coastal and restricted coastal limits***

**23.5 Application of rules 23.6 to 23.16**

Rules 23.6 to 23.16 apply to passenger ships that proceed beyond restricted limits.

**23.6 Muster list and rescue procedures**

- (1) The owner and the master of a ship to which this rule applies must ensure that there are procedures in place for locating and rescuing passengers trapped in their cabins.
- (2) The master of a ship to which this rule applies must prepare and maintain a muster list, in English, that complies with the requirements of rule 23.6(4) to 23.6(10).
- (3) The owner and the master of a ship to which this rule applies must ensure that the layout and content of the muster list is approved by the Director.
- (4) The muster list must specify –
  - (a) details of the general emergency alarm specified in rule 23.8; and
  - (b) the action to be taken by crew and passengers when the general emergency alarm signal is sounded; and
  - (c) how the order to abandon ship will be given; and
  - (d) other emergency signals that the Director considers appropriate to the type of ship, and action to be taken by the crew on hearing such signals; and
  - (e) the location of passenger muster stations.
- (5) The muster list must show the duties assigned to the different members of the crew including –
  - (a) closing the watertight doors, fire doors, valves, scuppers, side-scuttles, skylights, portholes, and other similar openings in the ship; and
  - (b) equipping the survival craft and other lifesaving appliances; and

- (c) preparing and launching survival craft; and
  - (d) deployment of any marine evacuation system fitted; and
  - (e) the general preparations of other lifesaving appliances; and
  - (f) muster of passengers; and
  - (g) using communications equipment; and
  - (h) personnel for the fire parties assigned to deal with fires; and
  - (i) the special duties assigned in respect of the use of fire-fighting equipment and installations.
- (6) The muster list must show the duties assigned to members of the crew in relation to passengers in case of emergency, including –
- (a) warning the passengers; and
  - (b) ensuring the passengers are suitably clad and have donned their lifejackets correctly; and
  - (c) assembling passengers at muster stations; and
  - (d) keeping order in the passageways and on the stairways, and generally controlling the movements of the passengers; and
  - (e) ensuring a supply of blankets (where carried) is taken to the survival craft.
- (7) The muster list must specify which officers are assigned to ensure that lifesaving appliances are maintained in good condition and are ready for immediate use.
- (8) The muster list shall specify substitutes for key people who may become disabled, taking into account that different emergencies may call for different actions.
- (9) (a) The muster list must be prepared before the ship proceeds to sea; and
- (b) if any changes take place in the crew that necessitate an alteration to the muster list, the master must revise the list or prepare a new list.
- (10) Copies of the muster list must be exhibited in conspicuous places throughout the ship, including –

- (a) the navigating bridge; and
  - (b) if there is space, the engine room; and
  - (c) crew accommodation spaces.
- (11) Personnel listed on muster lists to assist passengers in emergency situations must receive training –
- (a) to enable them to perform their duties properly; and
  - (b) to the minimum standard set out in Appendix 1 to this Part.

### **23.7 Instructions**

- (1) The owner and the master of a ship to which this rule applies must ensure that clear instructions to be followed in the event of an emergency are provided in English, and such other languages that are likely to be understood by the persons on board.
- (2) The owner and the master of a ship to which this rule applies must ensure that illustrations and instructions in English, and such other languages that are likely to be understood by the persons on board, are posted in passenger cabins and conspicuously displayed at muster stations and other passenger spaces. These must inform passengers of –
- (a) their muster station; and
  - (b) the essential actions they must take in an emergency; and
  - (c) the method of donning lifejackets.

### **23.8 General emergency alarm signal**

The master of a ship to which this rule applies must ensure that the general emergency alarm signal for summoning passengers and crew to muster stations and initiating the actions included in the muster list consists of seven or more short blasts followed by one long blast on the ship's whistle or siren and on an electrically operated bell or klaxon or other equivalent warning system.

**23.9 Emergency training and drills**

- (1) The master of a ship to which this rule applies must ensure that practice musters and drills are carried out at the following times –
  - (a) an abandon ship drill and a fire drill must take place weekly, but each individual crew member need participate in only 1 abandon ship drill and 1 fire drill every month; and
  - (b)
    - (i) where more than 25% of the crew have not participated in abandon ship and fire drills on board that particular ship in the previous month, a drill shall take place within 24 hours of the ship leaving port<sup>4</sup>; and
    - (ii) when a ship enters service for the first time, or after a modification that could affect abandon ship or fire fighting procedures, or when a new crew is engaged, abandon ship and fire drills must be held before sailing<sup>5</sup>.
- (2) The master of a ship to which this rule applies must ensure that passenger musters and safety briefings are carried out at the following times –
  - (a) on a ship engaged on a voyage where passengers are scheduled to be on board for more than 24 hours, within 24 hours after their embarkation. Each muster must include a safety briefing to passengers on the use of the lifejackets and the action to take in an emergency; and
  - (b) whenever new passengers embark on any ship, a passenger safety briefing must be given immediately before or immediately after sailing.
- (3) The briefing required by rule 23.9(2)(b) must –
  - (a) include –
    - (i) instructions to be followed in the event of an emergency; and
    - (ii) information on muster stations; and
    - (iii) information on action that must be taken in an emergency; and
    - (iv) instructions on the method of donning lifejackets; and

<sup>4</sup> Where this is impracticable for a ship, the Director may accept other arrangements by exemption under section 47 of the Maritime Transport Act.

<sup>5</sup> Where this is impracticable for a ship, the Director may accept other arrangements by exemption under section 47 of the Maritime Transport Act.

- (b) be made by means of an announcement –
  - (i) in one or more languages that are likely to be understood by the passengers; and
  - (ii) on the ship's public address system or by equivalent means likely to be heard at least by passengers who have not yet heard it during the voyage.<sup>6</sup>
- (4) The master of a ship to which this rule applies must ensure that abandon ship and fire drills are, as far as practicable, conducted as if there were an actual emergency.
- (5) The master of a ship to which this rule applies must ensure that –
  - (a) each abandon ship drill includes as many of the following as are applicable –
    - (i) summoning of passengers and crew to muster stations with the alarm required by rule 23.8 followed by drill announcement on the public address or other communication system; and
    - (ii) ensuring passengers and crew are made aware of the order to abandon ship specified in the muster list; and
    - (iii) reporting to stations and preparing for the duties described in the muster list; and
    - (iv) checking that passengers and crew are suitably dressed; and
    - (v) checking that lifejackets are correctly donned; and
    - (vi) the lowering of at least 1 lifeboat after any necessary preparation for launching. Where practicable, different lifeboats are to be lowered at successive drills; and
    - (vii) starting and operating each lifeboat engine, unless the engine has been started and operated weekly in accordance with a maintenance plan meeting the requirements of Part 21; and
    - (viii) operation of davits used for launching liferafts; and

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<sup>6</sup> The briefing may be included in a muster that is held immediately upon departure.

Information cards or posters or video programmes displayed on ships' video displays may be used to supplement the briefing but may not be used to replace the announcement.

- (ix) a mock search and rescue of passengers trapped in their cabins; and
- (x) instruction in the use of radio life-saving appliances; and
- (b) emergency lighting provided for muster and abandonment is tested at each abandon ship drill; and
- (c) where practicable, passengers are strongly encouraged to attend abandon ship drills; and
- (d) (i) if a ship is fitted with marine evacuation systems, drills include exercise of the procedures required for the deployment of the system up to the point immediately preceding actual deployment of the system. This aspect of the drills must include regular instruction using the on-board training aids required with the training manuals; and
- (ii) every member of a marine evacuation system party is further trained, where practicable, –
  - (aa) by participation in a full deployment of a similar system into water, either on board a ship or ashore, at intervals of not more than 2 years<sup>7</sup>; or
  - (bb) if the ship does not carry passengers on international voyages, by participation in dry deployment of the chute component and, where carried, the platform component of the marine evacuation system every 12 months; and a full deployment of a complete similar marine evacuation system, either on board a ship or ashore, at intervals of not more than five years; and
- (e) on a ship that is not required by Part 23 to exercise other survival craft, the launching of a liferaft is simulated up to the point of actual deployment.
- (6) The master of a ship to which this rule applies must ensure that fire drills are carried out as follows –
  - (a) fire drills must be planned to ensure regular practice in the various emergencies that may occur depending on the type of ship and the cargo; and

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<sup>7</sup> This training can be associated with deployments required for any survey.

- (b) each fire drill must include –
    - (i) reporting to stations and preparing for the duties described in the muster list; and
    - (ii) starting of a fire pump, using at least 2 jets of water to show that the system is in proper working order; and
    - (iii) checking of firemen's outfits and other personal rescue equipment; and
    - (iv) checking of relevant communication equipment; and
    - (v) checking the operation of watertight doors, fire doors, fire dampers, and main inlets and outlets of ventilation systems in the drill area; and
    - (vi) checking the necessary arrangements for subsequent abandoning of the ship; and
  - (c) the equipment used during drills must immediately be brought back to its fully operational condition and any faults and defects discovered during the drills remedied as soon as possible.
- (7) The master of a ship to which this rule applies must ensure that lifeboats are launched at the following intervals –
- (a) except as provided in rule 23.9(8), each lifeboat must be launched with its assigned operating crew aboard and manoeuvred in the water at least once every 3 months during an abandon ship drill; and
  - (b) in the case of free-fall lifeboats, lowering rather than free-fall launching is acceptable where such launching is impracticable, provided that the lifeboat is free-fall launched at least once every 6 months. The Director may extend this period to 12 months provided that arrangements are made for simulated launching at intervals of not more than 6 months; and
  - (c) as far as is reasonable and practicable, rescue boats other than lifeboats that are also rescue boats, must be launched each month with their assigned crew aboard and manoeuvred in the water.
- In all cases this requirement must be complied with at least once every 3 months.
- (8) The Director may allow ships not to launch lifeboats on one side if –

- (a) their berthing arrangements in port and their operating timetable do not permit launching of lifeboats on that side; and
  - (b) all lifeboats are lowered at least once every 3 months and launched at least annually.
- (9) Because of the dangers involved, if lifeboat and rescue boat drills are carried out with the ship making headway, these drills must be practised in sheltered waters only and under the supervision of an officer experienced in such drills.
- (10) The master of a ro-ro passenger ship to which this rule applies must ensure that at least two crews of each fast rescue boat, certified as required by Part 31A of the maritime rules, carry out drills regularly taking into account all aspects of –
- (a) rescue in various conditions<sup>8</sup>; and
  - (b) handling of the boat in various conditions; and
  - (c) manoeuvring of the boat in various conditions; and
  - (d) operating of the boat in various conditions; and
  - (e) righting the boat after capsize.

### **23.10 Training and on-board instruction**

- (1) The master of a ship to which this rule applies must ensure that before a crew member is assigned to shipboard duties, he or she –
- (a) has received familiarisation training, acceptable to the Director, in personal survival techniques; or
  - (b) receives sufficient information and instruction to –
    - (i) communicate with other persons on board on elementary safety matters and understand safety information symbols, signs and alarm signals; and
    - (ii) know what to do if a person falls overboard; and
    - (iii) know what to do if fire or smoke is detected; and
    - (iv) know what to do if the fire or abandon ship alarm is sounded; and

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<sup>8</sup> For example: various sea conditions; various conditions of loading; various numbers of survivors to be considered; various conditions of survivors.

- (v) identify muster and embarkation stations and emergency escape routes; and
  - (vi) locate and don lifejackets; and
  - (vii) raise the alarm and have a basic knowledge of the use of portable fire extinguishers; and
  - (viii) take immediate action upon encountering an accident or other medical emergency before seeking further medical assistance on board; and
  - (ix) close and open the fire, weathertight and watertight doors fitted in the particular ship, other than those for hull openings.
- (2) The master of a ship to which this rule applies must ensure that a crew member with assigned emergency duties is familiar with those duties before being assigned to shipboard duties.<sup>9</sup>
- (3) The master of a ship to which this rule applies must ensure that –
- (a) instructions in the use of the ship's fire-extinguishing and life-saving appliances and in survival at sea are given at the same intervals as the abandon ship and fire drills; and
  - (b) although each instruction session may cover different parts of the ship's fire-extinguishing and life-saving appliances, instruction on all the ship's fire-extinguishing and life-saving appliances is given at intervals not exceeding 2 months; and
  - (c) each member of the crew is given instructions which include, but are not limited to –
    - (i) the operation and use of the ship's inflatable liferafts; and
    - (ii) problems of hypothermia, first-aid treatment of hypothermia and other relevant first-aid procedures; and
    - (iii) special instructions necessary for the use of the ship's life-saving appliances in severe weather and severe sea conditions; and
    - (iv) operation and use of fire-extinguishing appliances.

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<sup>9</sup> Further familiarisation training is required by section 6 of the ISM and SSM Codes and will be required by Parts 31A, B, and C of the Maritime Rules (Minimum Personnel and Watchkeeping).

- (4) The master of a ship to which this rule applies must ensure that –
  - (a) on board training in the use of davit-launched liferafts takes place at intervals of not more than four months, if the ship is fitted with such appliances; and
  - (b) whenever practicable, this includes the inflation and lowering of a liferaft.
- (5) For the purposes of rule 23.10(4)(b), the liferaft may be a special liferaft that is intended for training purposes only and that is not part of the ship's life-saving equipment, if it is conspicuously marked as such.
- (6) The owner and the master of a ship to which this rule applies must ensure that the personnel nominated on muster lists to assist passengers in emergency situations are given on board training and instruction as soon as possible after joining the ship, as required by Appendix 1.

#### **23.11 Passenger count**

- (1) The owner and the master of a ship to which this rule applies must ensure that information on passengers is collected as follows:
  - (a) all persons on board a passenger ship must be counted prior to departure; and
  - (b) all persons must be asked to declare any special care and assistance they may need in emergency situations and details of such persons must be recorded and communicated to the master prior to departure; and
  - (c) the information must be kept ashore and made readily available to search and rescue services when needed.
- (2) The owner and the master of a ship to which this rule applies that proceeds in the unlimited area must ensure that information on the names and gender of all persons on board, distinguishing between adults, children and infants, is recorded and the information kept ashore and made readily available to search and rescue services when needed.

**23.12 Search and rescue**

- (1) The owner and the master of a ship to which this rule applies and that trades on a fixed route after 1 July 1999, must ensure that –
  - (a) they have on board a plan for co-operation with appropriate search and rescue services in event of emergency; and
  - (b) the plan is developed in accordance with, and complies with, rule 23.12(2).
- (2) The plan –
  - (a) must be developed by the owner or master of the ship in co-operation with the search and rescue services provided by the New Zealand Government; and
  - (b) must include provisions for periodic exercises to be undertaken as agreed by the ship's owner or master and the search and rescue services to test its effectiveness.

**23.13 Testing of steering gear**

- (1) Except as provided in rule 23.13(5), the master of a ship to which this rule applies must ensure that, within 12 hours before departure, the ship's steering gear is checked and tested by the ship's crew. The checks and tests must include –
  - (a) the full movement of the rudder according to the required capabilities of the steering gear; and
  - (b) a visual inspection of the steering gear and its connecting linkage; and
  - (c) the operation of the means of communication between the navigating bridge and the steering compartment;and where applicable –
  - (d) the operation of the main steering gear; and
  - (e) the operation of the auxiliary steering gear; and
  - (f) the operation of the remote steering gear control systems; and
  - (g) the operation of the steering positions located on the navigating bridge; and

- (h) the operation of the emergency power supply; and
  - (i) the operation of the rudder angle indicators in relation to the actual position of the rudder; and
  - (j) the operation of the remote steering gear control system power failure alarms; and
  - (k) the operation of the steering gear power unit failure alarms; and
  - (l) the operation of automatic isolating arrangements and other automatic equipment.
- (2) The owner and the master of a ship to which this rule applies must ensure that simple operating instructions with a block diagram showing the change-over procedures for remote steering gear control systems and steering gear power units are permanently displayed on the navigating bridge and in the steering gear compartment.
- (3) The master of a ship to which this rule applies must ensure that all ships' officers concerned with the operation or maintenance of steering gear are familiar with the operation of the steering systems fitted on the ship and with the procedures for changing from one system to another.
- (4) The master of a ship to which this rule applies must ensure that in addition to the routine checks and tests prescribed in rule 23.13(1), emergency steering drills take place at intervals of not more than 3 months to practise emergency steering procedures. These drills must include –
- (a) direct control from within the steering gear compartment; and
  - (b) the communications procedure with the navigating bridge; and
  - (c) where applicable, the operation of alternative power supplies.
- (5) If the steering gear has not been shut down for a period exceeding 12 hours, the master of a ship that is regularly engaged on voyages of short duration must carry out the checks and tests required by this rule at intervals not exceeding 1 week.

**23.14 Entries to be made in the logbook**

- (1) Subject to rule 23.14 (2), the master of a ship to which this rule applies must record in the logbook –

- (a) the date when musters are held; and
  - (b) details of abandon ship drills and fire drills; and
  - (c) details of drills of other life-saving appliances; and
  - (d) details of on-board training; and
  - (e) the time and date when checks and tests of steering gear are carried out; and
  - (f) the date and details of emergency steering drills.
- (2) If a full muster, abandon ship or fire drill, or training session is not held at the appointed time, the master must make an entry in the logbook stating the circumstances and the extent of the muster, abandon ship or fire drill, or training session held.

**23.15 Operational limitations and exemptions**

- (1) The owner and the master of a ship to which this rule applies must ensure that a list of all limitations on, and exemptions for, the operation of the ship, whether imposed by the Director or established during the design or the building stages, is carried on board the ship.
- (2) The list of limitations and exemptions must include –
- (a) exemptions from any of the maritime rules; and
  - (b) restrictions in operating areas; and
  - (c) weather restrictions; and
  - (d) sea state restrictions; and
  - (e) restrictions in permissible loads, trim, speed; and
  - (f) any other limitations.
- (3) The list of limitations and exemptions, together with any necessary explanations, must be –
- (a) approved by the Director; and
  - (b) readily available to the master; and
  - (c) kept updated; and

- (d) in English.

### **23.16 Decision support for masters**

- (1) The owner and the master of a ship to which this rule applies must ensure that a decision support system for emergency management complying with the requirements of this rule is provided on the navigating bridge.<sup>10</sup>
- (2) The decision support system must consist, at minimum, of a printed emergency plan or plans covering all foreseeable emergency situations including but not limited to –
  - (a) fire; and
  - (b) damage to ship; and
  - (c) pollution; and
  - (d) unlawful acts threatening the safety of the ship and the security of its passengers; and
  - (e) personnel accidents; and
  - (f) cargo-related accidents; and
  - (g) emergency assistance to other ships.
- (3) The emergency procedures established in the emergency plan or plans must provide decision support to masters for handling any combination of emergency situations.
- (4) The emergency plan or plans must have a uniform structure and be easy to use.
- (5) Where applicable, the stability data for the loading condition for that voyage must be used for damage control purposes.
- (6) In addition to the printed emergency plan or plans, the Director may also accept the use of a computer-based decision support system on the bridge which provides all the information including that contained in the emergency plan or plans, procedures and checklists. The system must be able to present a list of recommended actions to be carried out in foreseeable emergencies.

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<sup>10</sup> Ships with decision support system complying with the ISM or SSM Codes are considered to comply with this rule.

*Non-passenger ships, on voyages in the unlimited, offshore and coastal limits and those of 45 metres or more in length on voyages only within restricted coastal limits*

**23.17 Application of rules 23.18 to 23.24**

Rules 23.18 to 23.24 apply to –

- (a) non-passenger ships on voyages in or beyond the coastal limit; and
- (b) non-passenger ships of 45 metres or more in length on voyages in the restricted coastal limit.

**23.18 Muster list**

- (1) The master of a ship to which this rule applies must prepare and maintain a muster list, in English, complying with the requirements of rule 23.18(2) to 23.18(8).
- (2) The muster list must specify –
  - (a) details of the general emergency alarm specified in rule 23.20; and
  - (b) the action to be taken by crew and passengers (if any) when the general emergency alarm signal is sounded; and
  - (c) how the order to abandon ship will be given; and
  - (d) other emergency signals that the Director considers appropriate to the type of ship, and action to be taken by the crew on hearing such signals.
- (3) The muster list must show the duties assigned to the different members of the crew including –
  - (a) closing of the watertight doors, fire doors, valves, scuppers, portholes, skylights, portholes, and other similar openings in the ship; and
  - (b) equipping the survival craft and other lifesaving appliances; and
  - (c) preparing and launching survival craft; and
  - (d) the general preparation of other lifesaving appliances; and
  - (e) muster of passengers (if any); and

- (f) use of communications equipment; and
  - (g) personnel for the fire parties assigned to deal with fires; and
  - (h) the special duties assigned in respect of the use of fire-fighting equipment and installations.
- (4) The muster list must show the duties assigned to members of the crew in relation to passengers, if passengers are carried, in case of emergency, including –
- (a) warning the passengers; and
  - (b) ensuring the passengers are suitably clad and have donned their lifejackets correctly; and
  - (c) assembling passengers at muster stations; and
  - (d) keeping order in the passageways and on the stairways, and generally controlling the movements of the passengers; and
  - (e) ensuring a supply of blankets (where carried) is taken to the survival craft.
- (5) The muster list must specify which officers are assigned to ensure that lifesaving appliances are maintained in good condition and are ready for immediate use.
- (6) The muster list shall specify substitutes for key people who may become disabled, taking into account that different emergencies may call for different actions.
- (7) (a) The muster list must be prepared before the ship proceeds to sea; and
- (b) if any changes take place in the crew that necessitate an alteration to the muster list, the master must revise the list or prepare a new list.
- (8) Copies of the muster list must be exhibited in conspicuous places throughout the ship, including –
- (a) the navigating bridge; and
  - (b) if there is space, the engine room; and
  - (c) crew accommodation spaces.

**23.19 Instructions**

- (1) The owner and the master of a ship to which this rule applies must ensure that clear instructions to be followed in the event of an emergency are provided in English, and such other languages that are likely to be understood by the persons on board.
- (2) Where passengers are carried the owner and the master of a ship to which this rule applies, must ensure that illustrations and instructions in English, and such other languages that are likely to be understood by the persons on board, are posted in passenger cabins and conspicuously displayed at muster stations and other passenger spaces. These must inform passengers of –
  - (a) their muster station; and
  - (b) the essential actions they must take in an emergency; and
  - (c) the method of donning lifejackets.

**23.20 General emergency alarm signal**

The master of a ship to which this rule applies must ensure that the general emergency alarm signal for summoning passengers and crew to muster stations and initiating the actions included in the muster list, consists of seven or more short blasts followed by one long blast on the ship's whistle or siren and on an electrically operated bell or klaxon or other equivalent warning system.

**23.21 Emergency training and drills**

- (1) The master of a ship to which this rule applies must ensure that practice musters and drills are carried out at the following times –
  - (a) every member of the crew must participate in at least one fire drill and one abandon ship drill every month; and
  - (b)
    - (i) where more than 25% of the crew have not participated in abandon ship and fire drills on board that particular ship in the previous month, a drill shall take place within 24 hours of the ship leaving port; and
    - (ii) when a ship enters service for the first time, or after a modification that could affect abandon ship or fire fighting procedures, or when a

new crew is engaged, abandon ship and fire drills must be held before sailing.<sup>11</sup>

- (2) The master of a ship to which this rule applies must, if any passengers are carried, ensure that a passenger safety briefing is given immediately before or immediately after sailing whenever new passengers embark on the ship.
- (3) The briefing must –
  - (a) include –
    - (i) instructions to be followed in the event of an emergency; and
    - (ii) information on muster stations; and
    - (iii) information on action that must be taken in an emergency; and
    - (iv) instructions on the method of donning lifejackets; and
  - (b) be made by means of an announcement –
    - (i) in one or more languages likely to be understood by the passengers; and
    - (ii) on the ship's public address system or by equivalent means likely to be heard at least by passengers who have not yet heard it during the voyage.<sup>12</sup>
- (4) The master of a ship to which this rule applies must ensure that abandon ship and fire drills are, as far as practicable, conducted as if there were an actual emergency.
- (5) The master of a ship to which this rule applies must ensure that –
  - (a) each abandon ship drill includes as many of the following as are applicable –

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<sup>11</sup> The Director may accept other arrangements that are at least equivalent for those classes of ships for which such a drill is impracticable

<sup>12</sup> The briefing may be included in a muster that is held immediately upon departure.

Information cards or posters or video programmes displayed on ships video displays may be used to supplement the briefing but may not be used to replace the announcement.

- (i) summoning of passengers (if any) and crew to muster stations with the alarm required by rule 23.20 followed by drill announcement on the public address or other communication system; and
  - (ii) ensuring passengers (if any) and crew are made aware of the order to abandon ship specified in the muster list; and
  - (iii) reporting to stations and preparing for the duties described in the muster list; and
  - (iv) checking that passengers (if any) and crew are suitably dressed; and
  - (v) checking that lifejackets are correctly donned; and
  - (vi) the lowering of at least 1 lifeboat after any necessary preparation for launching. Where practicable, different lifeboats are to be lowered at successive drills; and
  - (vii) starting and operating each lifeboat engine; and
  - (viii) operation of davits used for launching liferafts; and
  - (ix) if passengers are carried, a mock search and rescue of passengers trapped in their cabins; and
  - (x) instruction in the use of radio life-saving appliances; and
- (b) emergency lighting provided for muster and abandonment is tested at each abandon ship drill; and
- (c) where practicable, passengers (if any) are strongly encouraged to attend abandon ship drills; and
- (d) (i) if a ship is fitted with marine evacuation systems, drills include exercise of the procedures required for the deployment of the system up to the point immediately preceding actual deployment of the system. This aspect of the drills must include regular instruction using the on-board training aids required with the training manuals; and
- (ii) every member of a marine evacuation system party is further trained, where practicable, by participation in a full deployment of a similar system into water, either on board a ship or ashore, at intervals of not more than 2 years.<sup>13</sup>

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<sup>13</sup> This training can be associated with deployments required for survey.

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- (6) The master of a ship to which this rule applies must ensure that fire drills are carried out as follows –
- (a) fire drills must be planned to ensure regular practice in the various emergencies that may occur, depending on the type of ship and the cargo; and
  - (b) each fire drill must include –
    - (i) reporting to stations and preparing for the duties described in the muster list; and
    - (ii) starting of a fire pump, using at least 2 jets of water to show that the system is in proper working order; and
    - (iii) checking of firemen's outfits and other personal rescue equipment; and
    - (iv) checking of relevant communication equipment; and
    - (v) checking the operation of watertight doors, fire doors, fire dampers and main inlets and outlets of ventilation systems in the drill area; and
    - (vi) checking the necessary arrangements for subsequent abandoning of the ship; and
  - (c) the equipment used during drills must immediately be brought back to its fully operational condition and any faults and defects discovered during the drills remedied as soon as possible.
- (7) The master of a ship to which this rule applies must ensure that lifeboats are launched at the following intervals –
- (a) except as provided in rule 23.21(8), each lifeboat must be launched with its assigned operating crew aboard and manoeuvred in the water at least once every 3 months during an abandon ship drill; and
  - (b) in the case of free-fall lifeboats, lowering rather than free-fall launching is acceptable where such launching is impracticable, provided that the lifeboat is free-fall launched at least once every 6 months. The Director may extend this period to 12 months provided that arrangements are made for simulated launching at intervals of not more than 6 months; and

- (c) as far as is reasonable and practicable, rescue boats other than lifeboats that are also rescue boats, must be launched each month with their assigned crew aboard and manoeuvred in the water.

In all cases, this requirement must be complied with at least once every 3 months.

- (8) The Director may allow ships not to launch lifeboats on one side if –
  - (a) their berthing arrangements in port and their trading patterns do not permit launching of lifeboats on that side; and
  - (b) all such lifeboats are lowered at least once every 3 months and launched at least annually.
- (9) Because of the dangers involved, if lifeboat and rescue boat drills are carried out with the ship making headway, these drills must be practised in sheltered waters only and under the supervision of an officer experienced in such drills.

#### **23.22 Training and on-board instruction**

- (1) The master of a ship to which this rule applies must ensure that before a crew member is assigned to shipboard duties she or he –
  - (a) has received familiarisation training, acceptable to the Director, in personal survival techniques; or
  - (b) receives sufficient information and instruction to –
    - (i) communicate with other persons on board on elementary safety matters and understand safety information symbols, signs and alarm signals; and
    - (ii) know what to do if a person falls overboard; and
    - (iii) know what to do if fire or smoke is detected; and
    - (iv) know what to do if the fire or abandon ship alarm is sounded; and
    - (v) identify muster and embarkation stations and emergency escape routes; and
    - (vi) locate and don lifejackets; and
    - (vii) raise the alarm and have a basic knowledge of the use of portable fire extinguishers; and

- (viii) take immediate action upon encountering an accident or other medical emergency before seeking further medical assistance on board; and
  - (ix) close and open the fire, weathertight and watertight doors fitted in the particular ship, other than those for hull openings.
- (2) The master of a ship to which this rule applies must ensure that a crew member with assigned emergency duties is familiar with those duties before being assigned to shipboard duties.<sup>14</sup>
- (3) The master of a ship to which this rule applies must ensure that –
- (a) instructions in the use of the ship's fire-extinguishing and life-saving appliances and in survival at sea are given at the same intervals as the abandon ship and fire drills; and
  - (b) although individual instruction may cover different parts of the ship's fire-extinguishing and life-saving appliances, all the ship's fire-extinguishing and life-saving appliances are covered at intervals of not more than 2 months; and
  - (c) each member of the crew is given instructions regarding topics which include, but are not limited to –
    - (i) the operation and use of the ship's inflatable liferafts; and
    - (ii) problems of hypothermia, first-aid treatment of hypothermia and other relevant first-aid procedures; and
    - (iii) special instructions necessary for the use of the ship's life-saving appliances in severe weather and severe sea conditions; and
    - (iv) operation and use of fire-extinguishing appliances.
- (4) The master of a ship to which this rule applies must ensure that –
- (a) on board training in the use of davit-launched liferafts takes place at intervals of not more than four months if the ship is fitted with such appliances; and
  - (b) whenever practicable, such training includes the inflation and lowering of a liferaft.

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<sup>14</sup> Further familiarisation training is required by section 6 of the ISM and SSM Codes and will be required by Parts 31A, B, and C of the Maritime Rules (Minimum Personnel and Watchkeeping).

- (5) For the purposes of rule 23.22(4)(b), the liferaft may be a special liferaft that is intended for training purposes only and that is not part of the ship's life-saving equipment, if it is conspicuously marked as such.

**23.23 Testing of steering gear**

- (1) Except as provided in rule 23.23(5), the master of a ship to which this rule applies must ensure that within 12 hours before departure, the ship's steering gear is checked and tested by the ship's crew. The checks and tests must include—
- (a) the full movement of the rudder according to the required capabilities of the steering gear; and
  - (b) a visual inspection of the steering gear and its connecting linkage; and
  - (c) the operation of the means of communication between the navigating bridge and the steering compartment;
- and where applicable —
- (d) the operation of the main steering gear; and
  - (e) the operation of the auxiliary steering gear; and
  - (f) the operation of the remote steering gear control systems; and
  - (g) the operation of the steering positions located on the navigating bridge; and
  - (h) the operation of the emergency power supply; and
  - (i) the operation of the rudder angle indicators in relation to the actual position of the rudder; and
  - (j) the operation of the remote steering gear control system power failure alarms; and
  - (k) the operation of the steering gear power unit failure alarms; and
  - (l) the operation of automatic isolating arrangements and other automatic equipment.
- (2) The owner and the master of a ship to which this rule applies must ensure that simple operating instructions with a block diagram showing the change-over procedures for remote steering gear control systems and steering gear power

units are permanently displayed on the navigating bridge and in the steering gear compartment.

- (3) The master of a ship to which this rule applies must ensure that all ships' officers concerned with the operation or maintenance of steering gear are familiar with the operation of the steering systems fitted on the ship and with the procedures for changing from one system to another.
- (4) The master of a ship to which this rule applies must ensure that, in addition to the routine checks and tests prescribed in rule 23.23(1), emergency steering drills take place at intervals of not more than 3 months to practice emergency steering procedures. These drills must include –
  - (a) direct control from within the steering gear compartment; and
  - (b) the communications procedure with the navigating bridge; and
  - (c) where applicable, the operation of alternative power supplies.
- (5) If the steering gear has not been shut down for a period exceeding 12 hours, the master of a ship that is regularly engaged on voyages of short duration may carry out the checks and tests required by this rule at intervals not exceeding 1 week.

#### **23.24 Entries to be made in the logbook**

- (1) Subject to rule 23.24(2), the master of a ship to which this rule applies must record in the logbook –
  - (a) the date when musters are held; and
  - (b) details of abandon ship drills and fire drills; and
  - (c) details of drills of other life-saving appliances; and
  - (d) details of on-board training; and
  - (e) the time and date when checks and tests of steering gear are carried out; and
  - (f) the date and details of emergency steering drills.

- (2) If a full muster, abandon ship or fire drill, or training session is not held at the appointed time, the master must make an entry in the logbook stating the circumstances and the extent of the muster, abandon ship or fire drill, or training session held.

### ***Other ships***

#### **23.25 Application of rules 23.26 to 23.30**

- (1) Rule 23.26 applies to passenger ships of 45 metres or more in length that proceed beyond enclosed water limits but not beyond inshore limits.
- (2) Rule 23.27 applies to –
  - (a) passenger ships that are less than 45 metres in length that proceed beyond enclosed water limits but not beyond inshore limits; and
  - (b) passenger ships that do not proceed beyond enclosed water limits.
- (3) Rule 23.28 applies to –
  - (a) non-passenger ships that do not proceed beyond restricted limits; and
  - (b) non-passenger ships of less than 45 metres in length that proceed beyond restricted limits but not beyond the restricted coastal limit.
- (4) Rule 23.29 applies to fishing ships that proceed into the unlimited area and those of 45 metres or more in length that proceed beyond the coastal limit but not beyond the offshore limit.
- (5) Rule 23.30 applies to fishing ships with a total crew (including the master) of two or more, other than those to which rule 23.25(4) applies.

#### **23.26 Passenger ships that are 45 metres or more in length that proceed beyond enclosed water limits but not beyond inshore limits**

- (1)
  - (a) Except as provided in rule 23.26(1)(b), the owner and the master of a ship to which this rule applies must ensure that the ship has muster lists which comply with the requirements of rule 23.6.
  - (b) The training for personnel listed on muster lists to assist passengers in emergency situations must fulfil the requirements of Appendix 1 (1)(a), (2)(b), (3)(c) and (d), (5)(a), (b), (c), (d), (g), (h)(i) to (v), (vii), (ix) and (xiii), (i) and (j), and (6).

- (2) The owner and the master of a ship to which this rule applies must ensure that the ship has instructions which comply with the requirements of rule 23.7.
- (3) The master of a ship to which this rule applies must ensure that the instructions required by rule 23.26(2) are drawn to the attention of every passenger on board.
- (4) The owner and the master of a ship to which this rule applies must ensure that the general emergency signal for summoning passengers and crew to muster stations and initiating the actions included in the muster list consists of 7 or more short blasts followed by 1 long blast on the ship's whistle or siren.
- (5) The master of a ship to which this rule applies must ensure that the ship carries out practice musters and drills which comply with the requirements of rule 23.9, except that abandon ship and fire drills need only be held monthly.
- (6) The master of a ship to which this rule applies must ensure that the ship carries out on-board training and instruction which comply with the requirements of rule 23.10.
- (7) The owner and the master of a ship to which this rule applies must ensure that all persons on board are counted prior to departure and the information kept ashore and made readily available to search and rescue services when needed.
- (8) The owner and the master of ships trading on fixed routes to which this rule applies must ensure that they have on board a plan for co-operation with appropriate search and rescue services in the event of emergency, that complies with the requirements of rule 23.12.
- (9) The master of a ship to which this rule applies must make entries in the logbook that comply with the requirements of rules 23.14(1)(a) to (d) and 23.14(2).

**23.27 Passenger ships that are less than 45 metres in length that proceed beyond enclosed water limits but do not proceed beyond inshore limits and passenger ships that do not proceed beyond enclosed water limits**

- (1) The owner and the master of a ship to which this rule applies must ensure that clear instructions to be followed in the event of an emergency are provided for every person on board.

- (2) A ship to which this rule applies must have illustrations and instructions in English and such other languages that are likely to be understood by the persons on board, conspicuously displayed in all passenger spaces to inform passengers of –
  - (a) the essential actions to take in an emergency; and
  - (b) the correct use of lifesaving appliances.
- (3) The master of a ship to which this rule applies must ensure that the illustrations and instructions required by rule 23.27(2) are drawn to the attention of every passenger on board.
- (4) The owner and the master of a ship to which this rule applies must ensure that the general emergency signal for summoning passengers and crew to muster stations and initiating the instructions required by rule 23.27(1) consists of 7 or more short blasts followed by 1 long blast on the ship's whistle or siren.
- (5)
  - (a) The master of a ship to which this rule applies must ensure that all members of the crew –
    - (i) know where all lifesaving and fire appliances and equipment provided to the ship are stowed; and
    - (ii) are trained in their use.
  - (b) If such ships carry one or more lifeboats or rescue boats, training must include –
    - (i) the swinging out and lowering of such craft at regular intervals; and
    - (ii) if such craft are equipped with an engine, the operation of that engine.
- (6) The owner and the master of a ship to which this rule applies must ensure that all persons on board are counted prior to departure and the information kept ashore and made readily available to search and rescue services when needed.
- (7) The owner and the master of a ship to which this rule applies which is authorised by its New Zealand Safe Ship Management Certificate to carry more than 50 passengers in inshore limits on fixed routes must ensure they have on board a plan for co-operation with appropriate search and rescue services in event of emergency that comply with the requirements of rule 23.12.

- (8) The master of a ship to which this rule applies must record in the logbook details, including the date, of all training sessions held.

**23.28 Non-passenger ships that do not proceed beyond restricted limits and non-passenger ships that are less than 45 metres in length that proceed beyond restricted limits but not beyond the restricted coastal limit**

- (1) The owner and the master of a ship to which this rule applies must ensure that emergency instructions to be followed in the event of emergency are provided in a form clear to every person on board.
- (2) The owner and the master of a ship to which this rule applies must ensure that the general emergency signal for summoning passengers and crew to muster stations and initiating instructions required by rule 23.28(1) consists of 7 or more short blasts followed by 1 long blast on the ship's whistle or siren.
- (3) (a) The master of a ship to which this rule applies must ensure that all members of the crew –
- (i) know where all lifesaving and fire appliances and equipment provided to the ship are stowed; and
  - (ii) are trained in their use.
- (b) If such ships carry one or more lifeboats or rescue boats, training must include –
- (i) the swinging out and lowering of such craft at regular intervals; and
  - (ii) if such craft are equipped with an engine, the operation of that engine.
- (4) The master of a ship to which this rule applies must record details in the logbook, including the date, of all training sessions held.

**23.29 Fishing ships that proceed into the unlimited area, and fishing ships of 45 metres or more in length that proceed beyond the coastal limit but not beyond the offshore limit**

- (1) The master of a ship to which this rule applies must ensure that clear instructions to be followed in the event of an emergency are provided for every person on board.

- (2) A ship to which this rule applies must have muster lists which comply with the requirements of rule 23.18.
- (3) The owner and the master of a ship to which this rule applies must ensure that the general emergency signal for summoning crew to muster stations and initiating the actions included in the muster list consists of seven or more short blasts followed by one long blast on the ship's whistle or siren.
- (4) The owner and the master of a ship to which this rule applies must ensure that the ship carries out emergency training and drills which comply with the requirements of rule 23.21, except rule 23.21(2).
- (5) The owner and the master of a ship to which this rule applies must ensure that the ship carries out on-board training and instruction which comply with the requirements of rule 23.22.
- (6) The master of a ship to which this rule applies must ensure that the steering gear is tested as required by rule 23.23.
- (7) The master of a ship to which this rule applies must make logbook entries that comply with the requirements of rule 23.24.

**23.30 Fishing ships with a total crew (including the master) of 2 or more, other than those to which rule 23.29 applies**

- (1) The owner and the master of a ship to which this rule applies must ensure that clear instructions to be followed in the event of an emergency are provided for every person on board.
- (2) The owner and the master of a ship to which this rule applies must ensure that the general emergency signal for summoning crew to muster stations and initiating the actions included in the muster list consists, where appropriate to the size of the ship and the number of crew carried, of 7 or more short blasts followed by 1 long blast on the ship's whistle or siren.
- (3) (a) The master of a ship to which this rule applies must ensure that all members of the crew –
  - (i) know where all lifesaving and fire appliances and equipment provided to the ship are stowed; and
  - (ii) are trained in their use.

- (b) If a ship to which this rule applies carries one or more lifeboats or rescue boats, the master must ensure that training includes –
  - (i) the swinging out and lowering of such craft at regular intervals; and
  - (ii) if such craft are equipped with an engine, the operation of that engine.
- (4) The master of a ship to which this rule applies must record in the logbook details, including the date, of all training sessions held.

### ***Foreign ships***

#### **23.31 Foreign ships at a New Zealand port or offshore terminal**

The owner and the master of a foreign passenger ship, or foreign non-passenger ship of 500 tons gross tonnage or more, must ensure that the ship complies with the requirements of –

- (a) SOLAS Chapter III, Regulations 6 (paragraph 4.2), 8, 18, 24-2, 24-4, 25 50, and 53; and
- (b) SOLAS Chapter V Regulations 15, 19.2 and 23.

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***Section 2 - Openings in the hull and watertight bulkheads*****23.32 Application of section 2**

- (1) Rules 23.33 to 23.38 apply to –
  - (a) New Zealand ships carrying more than 12 passengers; and
  - (b) foreign passenger ships while in a New Zealand port or at a New Zealand offshore terminal.
- (2) Rules 23.39 to 23.42 apply to –
  - (a) New Zealand non passenger ships and fishing ships proceeding beyond restricted limits; and
  - (b) foreign non passenger ships and fishing ships while in a New Zealand port or at a New Zealand offshore installation.

***Passenger ships*****23.33 Openings in watertight bulkheads**

- (1) The master of a ship to which this rule applies must ensure that all watertight doors in watertight bulkheads are kept closed while the ship is at sea, except that a watertight door in a watertight bulkhead may be opened while the ship is at sea –
  - (a) to permit the passage of crew, in which case the door must be closed when transit through the door is complete; and
  - (b) when work in the immediate vicinity of the door necessitates it being opened, in which case the door must be closed as soon as the task that necessitated it being open is finished or ceased; andin any case must be ready to be immediately closed.
- (2) The master of a ship to which this rule applies must ensure that portable plates on bulkheads in machinery spaces are –
  - (a) in place before the ship sails; and

- (b) not removed while the ship is at sea, except in urgent necessity.

### **23.34 Openings in the shell plating**

- (1) The master of a ship to which this rule applies must ensure that each sidescuttle, including its deadlight, that is not accessible while at sea is closed and secured before the ship sails.
- (2) The master of a ship to which this rule applies must ensure that gangway, cargo and coaling ports fitted below the margin line are –
  - (a) effectively closed and secured watertight before the ship leaves port; and
  - (b) kept closed while the vessel is at sea.

### **23.35 Cargo loading doors**

- (1) Subject to rule 23.35(2) and (3), the master of a ship to which this rule applies must ensure that any door located above the margin line that is either –
  - (a) a cargo loading door in the shell or the boundaries of enclosed superstructures; or
  - (b) a bow visor fitted in the shell or the boundaries of enclosed superstructures; or
  - (c) a cargo loading door in the collision bulkhead; or
  - (d) a weathertight ramp forming an alternative closure to those defined in rule 23.35(1)(a), (b) and (c):

is securely closed and locked before the ship proceeds to sea and is kept closed and locked while the ship is at sea.

- (2) Where a door cannot be opened or closed while a ship is at the berth, such a door may be opened or left open while the ship approaches or draws away from the berth, but only so far as is necessary to enable the door to be immediately operated. In any case, the inner bow door must be kept closed.
- (3) The Director may allow a particular door to be opened at the discretion of the master if –
  - (a) necessary for the operation of the ship or the embarking and disembarking of passengers; and

- (b) the ship is at safe anchorage; and
  - (c) the safety of the ship is not impaired.
- (4) The master must ensure that an effective system of supervision and reporting of the closing and opening of the doors referred to in rule 23.35(1) is implemented.

**23.36 Watertight integrity from the ro-ro deck to spaces below**

- (1) Rule 23.36 applies to ro-ro passenger ships.
- (2) The master of a ship that was constructed on or after 1 July 1997 and to which this rule applies must ensure that an effective system is implemented to supervise and report the closing and opening of –
  - (a) vehicle ramps that give access to spaces below the bulkhead deck that are capable of being closed to prevent the ingress of water below; and
  - (b) watertight accesses to spaces below the vehicle deck.
- (3) The master of a ship that was constructed before 1 July 1997 and to which this rule applies must ensure that all accesses from the ro-ro deck that lead to spaces below the bulkhead deck –
  - (a) are closed before the ship leaves its berth; and
  - (b) remain closed until the ship is at its next berth.
- (4) The master of a ship to which this rule applies must ensure that no passengers are allowed access to an enclosed ro-ro deck, when the ship is at sea, without the express permission of the master.
- (5) The master of a ship to which this rule applies must ensure that all transverse or longitudinal bulkheads which are taken into account as effective to confine seawater accumulated on the ro-ro deck –
  - (a) are in place and secured before the ship leaves the berth; and
  - (b) remain in place and secured until the ship is at its next berth.

**23.37 Drills, inspections and training**

- (1) The master of a ship to which this rule applies must ensure that all watertight doors and all closing appliances referred to in rules 23.33 to 23.36 are operated for the purposes of a drill –
  - (a) at intervals of not more than 7 days; and
  - (b) immediately before the ship proceeds to sea if the ship is intended to remain at sea for a period of more than 7 days;  
  
except that those closing appliances that must not be opened at sea must not be subject to a drill at sea.
- (2) The master of a ship to which this rule applies must ensure that at intervals of not more than 7 days, a person appointed for that purpose either generally or on that particular occasion by the master inspects –
  - (a) all watertight doors and all mechanisms, indicators, and warning devices connected with such doors; and
  - (b) all valves, the closing of which is necessary to make watertight any compartment below the margin line; and
  - (c) all valves, the operation of which is necessary for efficient operation of damage control cross-connections.
- (3) The master of a ship to which this rule applies must ensure that all watertight doors fitted in transverse bulkheads in use at sea are operated every day.
- (4) The owner and the master of a ship to which this rule applies must ensure that suitable notices and signs are provided on, or in the vicinity of, all the valves, doors, and mechanisms referred to in rule 23.37(2) to indicate, as necessary –
  - (a) the procedures for operating the appliances; and
  - (b) the purpose of the controls; and
  - (c) any precautions to be observed.

**23.38 Entries to be made in the logbook**

- (1) The master of a ship to which this rule applies must ensure that –
  - (a) the time of last closing; and

- (b) the time of opening (if permissible) –

of all watertight doors, portable plates, portholes, gangway, cargo and fuelling ports and any other openings required by this Part to be kept closed at sea is entered into the logbook. A record of the opening of a watertight door permitted under rule 23.33(1)(a) need not be made.

- (2) A record of drills and inspections as required by rule 23.37 must be made in the logbook with an explicit record of any defects detected and details of any action taken regarding the defect.

### ***Non-Passenger Ships***

#### **23.39 Openings in watertight bulkheads and internal decks**

- (1) The master of a ship to which this rule applies must ensure that access doors and access hatch covers that are normally closed at sea and that are intended to ensure the watertight integrity of internal openings are only used with the authorisation of the officer of the watch.
- (2) The master of a ship to which this rule applies must ensure that watertight doors or ramps that internally subdivide large cargo spaces are –
- (a) closed before the ship leaves its berth; and
  - (b) remain closed until the ship is at its next berth.

#### **23.40 External openings**

The master of a ship to which this rule applies must ensure that openings in the shell plating, that is below the deck level and that limits the vertical extent of damage, are kept permanently closed while at sea.

#### **23.41 Drills, inspections and training**

- (1) The master of a ship to which this rule applies must ensure that all watertight doors and all closing appliances are operated for the purposes of a drill –
- (a) at intervals of not more than 7 days; and

- (b) immediately before the ship proceeds to sea if the ship is intended to remain at sea for a period of more than 7 days;
- except that those closing appliances that must not be opened at sea must not be subject to a drill at sea.
- (2) The master of a ship to which this rule applies must ensure that at intervals of not more than 7 days, a person appointed for that purpose either generally or on that particular occasion by the master inspects –
- (a) all watertight doors and all mechanisms, indicators, and warning devices connected with such doors; and
- (b) all valves, the closing of which is necessary to make watertight any compartment below the margin line; and
- (c) all valves, the operation of which is necessary for efficient operation of damage control cross-connections.
- (3) The master of a ship to which this rule applies must ensure that all watertight doors fitted in transverse bulkheads in use at sea are operated every day.
- (4) The owner and the master of a ship to which this rule applies must ensure that suitable notices and signs are provided on, or in the vicinity of, all the valves, doors, and mechanisms referred to in rule 23.41(2) to indicate, as necessary –
- (a) the procedures for operating the appliances; and
- (b) the purpose of the controls; and
- (c) any precautions to be observed.

#### **23.42 Entries to be made in the logbook**

- (1) The master of a ship to which this rule applies must ensure that –
- (a) the time of last closing; and
- (b) the time of opening (if permissible) –

of all openings required by this Part to be kept closed at sea is entered into the logbook.

- (2) A record of drills and inspections as required by rule 23.41 must be made in the logbook with an explicit record of any defects detected and details of any action taken regarding the defect.

***Section 3 - Navigational warnings, radio messages, distress signals and master's discretion***

**23.43 Definitions relating to section 3**

In this section:

**“Coast radio station”** means a coast station intended to receive communications from ships by means of radio:

**“Coast station”** means a station situated on land for the purpose of receiving communications from ships:

**“Distress signal”** means a signal described in Appendix 3:

**“The International Code of Signals”** means the current International Code of Signals adopted by the International Maritime Organisation:

**“Tropical storm”** includes a tropical cyclone, hurricane, typhoon, tropical revolving storm, severe cyclonic storm, or a similar phenomenon called by any other name in various local regions:

**“UTC”** means Universal Co-ordinated Time, or Greenwich Mean Time:

A master of a ship will be said to have **“met with a tropical storm”** if the master has reason to believe that such a storm is developing in the vicinity of the ship or exists in the vicinity of the ship.

**23.44 Application of section 3**

This section applies to –

- (a) all New Zealand ships; and
- (b) foreign ships while in New Zealand waters.

**23.45 Dangers to navigation**

The master of a ship to which this rule applies must send a danger message in accordance with rule 23.46 on meeting any of the following dangers to navigation –

- (a) dangerous ice; or
- (b) a dangerous derelict; or
- (c) a tropical storm; or
- (d) air temperatures below freezing point associated with gale force winds causing severe ice accretion on the superstructure of ships; or
- (e) winds of force 10 or above on the Beaufort scale for which no storm warning has been received; or
- (f) any other direct danger to navigation.

**23.46 Danger messages**

- (1)
  - (a) On meeting a danger to navigation, the master of a ship to which this rule applies must send, by the most efficient means of communication at the ship's disposal, the relevant information specified in Appendix 2 .
  - (b) The information must be sent, either in English or by the International Code of Signals, to –
    - (i) ships in the vicinity; and
    - (ii) the nearest coast station with which it is possible for the ship to communicate. Where the nearest coast station is not a coast radio station, the information must be accompanied by a request that it be sent immediately to the nearest coast radio station.
- (2) If sent by means of the ship's radio, the master of a ship to which this rule applies must ensure the information commences with the safety signal consisting of –
  - (a) if sent by radiotelegraphy, the signal TTT in the Morse code, repeated 3 times with the letters of each group and the successive groups clearly separated from each other; and

- (b) if sent by radiotelephony, the spoken word "SECURITE" (pronounced "SAYCURITAY") repeated 3 times.

**23.47 Radio messages**

A person who is in charge of any radio apparatus capable of transmission or reception of radio communications must, whenever required to do so by the Director, transmit and receive messages relating to safety at sea in general and relating in particular to –

- (a) dangers to navigation; and
- (b) meteorological forecasts and warnings; and
- (c) search and rescue operations; and
- (d) medical advice to ships.

**23.48 Distress signals**

- (1) A person must not make a distress signal, or cause or permit a distress signal to be made, unless that person is satisfied that –
  - (a) the ship or seaplane that is on the water (or any person from that ship or seaplane) to which the person belongs is in serious and imminent danger and requires immediate assistance; or
  - (b) another ship or an aircraft (or any person from that ship or aircraft) is in serious and imminent danger and cannot itself make the signal and requires immediate assistance.
- (2) The master of a ship or seaplane that is on the water and in distress, after as much consultation as possible with the masters of the ships which answer the distress signal, has the right to requisition one or more of the ships considered to be best able to render assistance.
- (3) The person for the time being in charge of the ship or seaplane that is on the water and has sent any distress signal by means of radio must cause that signal to be revoked as soon as that person is satisfied that the ship, or person to which the message relates, is no longer in need of assistance.
- (4) A person must not use signals which may be confused with the distress signals prescribed in Appendix 3, unless in distress.

- (5) The Director may, for the purpose of allowing instruction in the use of distress signals, authorise in writing the making of distress signals at such times and places, and subject to such other conditions, as the Director thinks fit.

**23.49 Master's discretion for safe navigation**

- (1) The master of a ship to which this rule applies must not be constrained by the ship owner, charterer, or any other person, from taking any decision which, in the professional judgement of the master, is necessary for safe navigation, in particular in severe weather and heavy seas.
- (2) The owner of a ship to which this rule applies must not constrain the master from making any decision in accordance with rule 23.49(1).

***Section 4 - Ships routeing and speed near ice***

**23.50 Application of section 4**

This section applies to all New Zealand commercial ships.

**23.51 Speed near ice**

When ice is reported on or near the course of any ship at night, the master of a ship to which this rule applies must ensure the ship proceeds at a safe speed adjusted to the prevailing conditions, or alter the ship's course so as to go well clear of the danger area.

**23.52 Ships' routeing**

- (1) The master of a ship to which this rule applies must ensure that, unless there are compelling reasons not to do so, the ship uses routeing systems adopted by the International Maritime Organization –
- (a) which are required for its category or cargo carried; and
  - (b) in accordance with the relevant requirements for that system.

- (2) If the master of a ship to which this rule applies does not comply with rule 23.52(1), the master must record the reasons for not using a routing system in the logbook.

***Appendix 1 - Minimum training requirements for personnel nominated to assist passengers in emergency situations on passenger ships<sup>15</sup>***

- (1) (a) Personnel nominated on muster lists to assist passengers in emergency situations must receive additional training to enable them to perform their duties properly. The number of trained persons must always be sufficient to assist the total number of passengers who may be on board at any one time.
- (b) The number of trained persons must be included on the ship's minimum safe personnel document required by Part 30 of the Maritime Rules.
- (2) (a) The training must be acceptable to the Director. Means of ensuring that the crew maintain their proficiency through periodic refresher training, drills, or related work experience must be acceptable to the Director.
- (b) Where training is given in a shore-based training course, it must be supplemented by shipboard training before assuming the duties in relation to assisting passengers in emergency situations.
- (3) Communication skills must be sufficient to assist passengers during an emergency, taking into account the following criteria –
- (a) the language or languages appropriate to the principal nationalities of passengers carried on a particular route; and
- (b) the likelihood that an ability to use elementary English vocabulary for basic instructions can provide a means of communicating with a passenger in need of assistance, whether or not the passenger and crew share a common language; and
- (c) the possible need to communicate during an emergency by some other means such as demonstration, hand signals, or calling attention to the location of instructions, muster stations, life-saving appliances, or evacuation routes, when verbal communication is impractical; and

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<sup>15</sup> See rules 23.6(11), 23.10(6), and 23.26(1)(b).

- (d) the extent to which complete safety instructions have been provided to passengers in their native language or languages; and
  - (e) the languages in which emergency announcements may be broadcast during an emergency or drill to convey critical guidance to passengers and to facilitate crew members in assisting passengers.
- (4) The training must include, but is not limited to, the items in paragraphs (5) and (6) of this appendix.
- (5) Theory requirements
- (a) Awareness of life-saving appliance plans and fire control plans. Knowledge of muster lists and emergency instructions including –
    - (i) general alarms and procedures for mustering of passengers; and
    - (ii) areas of responsibility with emphasis on “own section”.
  - (b) General layout of the ship, with special emphasis on location of muster and embarkation stations, accesses and escape routes.
  - (c) Location and use of emergency equipment relevant to the duties of assisting passengers in emergency situations with emphasis on “own section” and escape routes therefrom.
  - (d) Location of adult and infant lifejackets.
  - (e) Location of other evacuation supplies to be taken to survival craft, for example, blankets.
  - (f) Elementary first aid and the transportation of casualties.
  - (g) Communication –
    - (i) the use of internal communication systems; and
    - (ii) raising the alarm; and
    - (iii) alerting the passengers; and
    - (iv) reporting and notification.
  - (h) Evacuation –
    - (i) the use of passenger lists and counts; and
    - (ii) the alarm signals; and

- (iii) mustering, importance of keeping order and panic-avoidance procedures; and
  - (iv) emergency exits; and
  - (v) evacuation equipment; and
  - (vi) control of passengers in corridors, staircases, and passage ways; and
  - (vii) maintenance of escape routes clear of obstructions; and
  - (viii) assistance *en route* to muster and embarkation station; and
  - (ix) methods available for evacuation of disabled persons needing special assistance; and
  - (x) restrictions on the use of elevators; and
  - (xi) search of accommodation spaces; and
  - (xii) ensuring that the passengers are suitably clothed; and
  - (xiii) ensuring that the passengers have donned their lifejackets correctly.
- (i) Fire situations –
    - (i) fire detection and initial containment; and
    - (ii) raising the alarm; and
    - (iii) danger of smoke inhalation; and
    - (iv) breathing protection.
  - (j) Abandon ship situations –
    - (i) correct use of individual survival equipment, e.g., lifejackets, immersion suits, lifebuoys, light and smoke signals, and other equipment; and
    - (ii) need for assistance in special cases.
- (6) Practical requirements
- (a) Familiarisation by means of repeated organised guided tours on board.
  - (b) Repeated participation in fire drills and lifeboat drills, including transportation of simulated casualties.

- (c) Repeated exercise in use of equipment, such as donning lifejackets and appropriate protective clothing.
- (d) Repeated exercise in the use of internal communication systems.
- (e) Repeated exercises in evacuation.

### *Appendix 2 - Information required for Navigational Warnings*

The master must provide the following information when sending navigational warnings –

- (1) for ice, derelicts, and other direct dangers to navigation –
  - (a) the kind of ice, derelict or danger observed; and
  - (b) the position of the ice, derelict or danger when last observed; and
  - (c) the time and date (UTC) when the danger was last observed; and
- (2) for tropical storms or whenever the master has good reason to believe that a tropical storm is developing or exists in the area –
  - (a) a statement that a tropical storm has been encountered; and
  - (b) time, date and position of the ship when the observation was taken; and
  - (c) as much of the following information as is practicable –
    - (i) the barometric pressure, preferably corrected, (stating units used and whether or not corrected); and
    - (ii) the change of barometric pressure during the past 3 hours; and
    - (iii) true wind direction; and
    - (iv) wind force using the Beaufort scale; and
    - (v) state of the sea (smooth, moderate, rough, high); and
    - (vi) the height of the swell (slight, moderate, rough, high); and
    - (vii) the true direction of the swell; and
    - (viii) the period or length of the swell (short, average, long); and
    - (ix) true course and speed of the ship; and
- (3) when a tropical or other dangerous storm has been reported, the master must transmit further observations hourly if practicable, but in any case at least every 3 hours, so long as the ship remains under the influence of the storm; and
- (4) for winds encountered of force 10 or above on the Beaufort scale for which no storm warning has been received, other than tropical storms, the information

sent must be that listed in paragraph (2) but excluding the details on sea and swell; and

- (5) for sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures –
  - (a) time and date (UTC); and
  - (b) air temperatures (stating units used); and
  - (c) sea temperature, if practicable (stating units used); and
  - (d) wind force and direction.

### *Appendix 3 - Distress signals*

The following signals<sup>16</sup>, used or exhibited either together or separately, indicate distress and the immediate need of assistance –

- (1) a gun or other explosive device fired at intervals of about a minute; and
- (2) a continuous sounding with any fog-signalling apparatus; and
- (3) rockets or shells, throwing red stars fired one at a time at short intervals; and
- (4) a signal made by radiotelegraphy or by any other signalling method consisting of the group ··· - - - ··· (SOS) in Morse code; and
- (5) a signal sent by radiotelephony consisting of the spoken work “Mayday”; and
- (6) the International Code Signal of distress indicated by N.C.; and
- (7) a signal consisting of a square flag having above or below it a ball or anything resembling a ball; and
- (8) flames on the vessel (as from a burning tar barrel, oil barrel, etc.); and
- (9) a rocket parachute flare or a hand-flare showing a red light; and
- (10) a smoke signal giving off orange-coloured smoke; and
- (11) slowly and repeatedly raising and lowering arms outstretched to each side; and
- (12) the radiotelegraph alarm signal; and
- (13) the radiotelephone alarm signal; and
- (14) signals transmitted by emergency position-indicating radio beacons; and
- (15) approved signals transmitted by radio communication systems, including survival craft radar transponders.

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<sup>16</sup> In addition, attention is drawn to the relevant sections of the International Code of Signals, the Merchant Ship Search and Rescue Manual and the following signals –

- (a) a piece of orange-coloured canvas with either a black-square and circle or other appropriate symbol (for identification from the air);
- (b) a dye marker.

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**PART 23****OPERATIONAL PROCEDURES AND TRAINING****Consultation Details**

*(This text does not form part of the rules contained in Part 23. It provides details of the consultation undertaken in making the rules)*

Ten submissions were received. These were from Union Shipping, Tranzrail, Sanford Limited, the New Zealand Shipping Federation, Plunket and Falconer Limited, Marine and Industrial Safety Inspection Services Limited, Maritime Management Services Limited, the Insurance Council of New Zealand, the New Zealand Association of Marine, Aviation and Power Engineers and one private individual.

**General**

The Insurance Council of New Zealand indicated that they were “reasonably happy” with the draft rule. Maritime Management Services Limited were “satisfied with the wording” and did “not object to these being introduced.”

**23.6 Muster list**

- (1) Union Shipping New Zealand Limited questioned why the muster list format has to be approved by the Director. “Surely as Passenger ships are to be operated under Safety Management Systems with effect from June this year, the format must be verified as being acceptable and meeting at least IMO requirements by the certifying body.”

*SOLAS Chapter III / Section V / Regulation 37.8 requires that the format of the muster list used on passenger ships be approved.*

*Section 7 of the ISM Code requires the preparation of plans and instructions for operations concerning the safety of the ship and prevention of pollution.*

*The MSA considers that the requirement of SOLAS is more specific than the requirement of the ISM Code and that therefore a specific approval from the MSA is appropriate.*

- (5)(i) Tranzrail stated that they did not understand this requirement. “Our ships have emergency parties. Their duties are to go to the scene of the emergency, assess it and start dealing with it. Personnel will be detailed off at the time as appropriate.... This is the same on any ship as far as I am aware. It is not possible to detail people off for each of those duties prior to the emergency occurring.”

*It is usual for some members of the crew to have special duties with respect to fire-fighting equipment and installations. For example, usually the officer in charge of a fire party is nominated on the muster list. This rule also allows scope for vessels that may have specific requirements that are not otherwise listed.*

- (5)(j) Tranzrail suggested adding an additional paragraph “Checking Crew and Passenger cabins are evacuated and accommodation closed up.”

*It is felt that the checking of passenger cabins is covered by rule 23.6(1), (5)(f), and (6)(a) and (c), and the closing of accommodation doors by rule 23.6(5)(a).*

*The MSA is reluctant to add requirements to the rule that are additional to the SOLAS requirements. The checking of crew cabins is not required on many vessels unless a full muster is not obtained. This requirement will not be added.*

- (7) Union Shipping considered this unnecessary. “The identity of personnel with responsibility and authority aboard is a requirement of ISM based Safety Management Systems.”

*SOLAS Chapter III / Section V / Regulation 37 specifies this requirement. It is considered to be complementary to ISM Code requirements. It will not be removed as the ISM Code is not as specific as SOLAS on this provision.*

## **23.8 General emergency alarm system**

M & I limited suggested that this rule should be written as per rule 23.30(2) by adding ‘where appropriate to the size of the ship and the number of the crew’.

*We do not agree. As this rule only applies to passenger vessels, the alarm signal will always be appropriate.*

### 23.9 Emergency training and drills

- (2)(b)(iv) (now (3)(b)(iv)) Tranzrail stated that "An announcement on how to don lifejackets would be of little value and would also be confusing and complicated. Passengers are at present directed to read the signs at the muster stations which show how lifejackets are put on with diagrams".

*We do not agree that an announcement would be confusing. "The lifejacket is placed over the head with the large part to the front; Place the hands through the straps. etc." These instructions can include drawing the passengers' attention to the diagrams. Many passengers do not read complicated signs which is the point of having this requirement.*

- (4) (now (5)) Tranzrail were "unclear as to whether we are expected to muster passengers in our ships for every abandon ship drill. I do not think that this is the intent but it seems somewhat ambiguous. It would be difficult to do this bearing in mind the length of the voyage and the time it would take to check upwards of 1000 passengers. What we do is give them a briefing at departure. From time to time and when the weather is suitable we invite passengers to join in the drill. This is purely voluntary.... Similarly it would be impossible to see that passengers are suitably dressed. What do we do if they are not?!

"I think that this section should be looked at in the context of a short voyage of say 3-4 hours duration. The Authority would have latitude to do this as our ships are not trading internationally."

*If there are passengers on board they should be mustered. The point of the drill is to give the crew experience in handling an emergency situation. The handling of passengers is pivotal to an abandon ship situation.*

*'Checking that the passengers are suitably dressed' could involve pointing out to passengers the benefit of having warm clothing available if the 'worst' happened.*

*Rule 23.9(5)(c) states that where practicable passengers should be strongly encouraged to attend abandon ship drills. We do not see compliance with this requirement for a voyage across the Cook Strait is any less valid than, say for a voyage across the Irish Sea. The fact that the voyage is not international*

*does not significantly affect the safety of the voyage. Therefore the rule has not been amended.*

- (4)(a)(i) *(now (5)(a)(i))* Tranzrail noted that they do not comply with the requirement to summon passengers and crew to muster stations by sounding the alarm as use of the ship's whistle could be confusing to other vessels.

*The requirement for sounding the alarm permits the use of either the ship's whistle or siren. The use of the siren should not cause any confusion to other ships.*

- (4)(a)(vii) *(now (5)(a)(vii))* Tranzrail explained that they do not comply with this requirement as they check lifeboat engines weekly in a separate test.

*The separate weekly testing of lifeboat engines in accordance with a maintenance plan is acceptable to the MSA provided details of the testing are recorded. The rule has been amended accordingly.*

- (4)(d)(ii) *(now (5)(d)(ii))* Tranzrail asked that their deployment of the evacuation system every six months be acceptable in place of the full deployment. "I believe that this has a much higher value than a wet deployment and causes much less damage to the system."

*We agree, the rule is amended for vessels that do not carry passengers on an international voyage.*

M & I limited queried who's survey the footnote was referring to.

*This can be any survey requiring the deployment of the marine evacuation system. The footnote is amended to clarify this.*

- (5)(b)(v) *(now (6)(b)(v))* Tranzrail suggested that "where applicable and practical" be added as the requirement may not be applicable "in the case of an engine room fire drill".

*We do not agree. The intention is that doors and dampers etc. are tested weekly.*

- (6)(a) *(now (7)(a))* Tranzrail suggested that the words "during an abandon ship drill" be deleted as "We often do this during a maintenance period".

*We do not agree. There is nothing to stop the ship having an abandon ship drill during a maintenance period.*

- (9) (*now (10)*) Tranzrail were concerned that the rules required drills to be carried out in potentially dangerous conditions.

*We agree, the rule is amended.*

### **23.10 Training and on-board instruction**

- (1)(a) and (b) Plunket and Falconer commented that they did not think these requirements fitted with “the current spirit of maritime legislation and its focus on the human element.” They suggested that these requirements may conflict with section A-VI/1 of the STCW Code (Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended in 1995) and section 6.3 of the ISM Code (International Safety Management Code as brought into force by Chapter IX of the SOLAS Convention). (Also applies to rule 23.22)

*This rule is amended to reflect Regulation 19 of the new Chapter III of SOLAS and section A-VI/1 of the STCW Code.*

*Section 6.3 of the ISM Code is incorporated into New Zealand law by Part 21 of the Maritime Rules - Safe Ship Management systems.*

*Section A-VI/2 of the STCW Code is also complementary to rule 23.10(1) but will be written into Part 31.*

*A footnote is added to draw the reader's attention to complementary requirements under Parts 21 and 31.*

- (3) Tranzrail suggested a reference to similar ISM requirements be made here.

*We do not believe that a reference to the ISM Code is needed here.*

- (6) The New Zealand Shipping Federation suggested that this rule be made clearer by changing ‘training’ to ‘on board training and instructions’.

*We agree.*

### **23.18 Muster list**

- (2)(a) Union Shipping noted that this rule makes an incorrect reference to a ‘public address system’.

*We agree, this is removed.*

**23.21 Emergency training and drills**

(4)(a)(i) (*now (5)(a)(i)*) Union Shipping commented that not all non-passenger ships were fitted with public address systems. They interpreted this as meaning the vessel would not be able to carry passengers.

*All SOLAS vessels will require a public address system 'or other suitable means of communication' once Maritime Rules Parts 40B and C are implemented. These will reflect the requirements of Chapter III Regulation 6.4.2 of SOLAS.*

**23.17 - 23.24 Non-passenger ships**

Union Shipping noted that there were several references to passengers in these rules as vessels could carry 12 passengers without being considered a passenger ship. "Perhaps this point could be made clearer by use of phrases and or brackets such as '*passengers (if any)*'"

*We agree, these have been added.*

**23.33 Drills, inspections and training**

(2)(a) The Association of Marine, Aviation and Power Engineers suggested that "other than those below the margin line" be deleted.

*We agree. This is consistent with SOLAS.*

**23.34 (now 23.38) Entries to be made in the logbook**

Tranzrail pointed out that Part 73 of the Maritime Rules which sets out requirements for the Official Logbook does not have reference to watertight doors.

*Rule 73.9(l) requires entries to be made as directed by the Maritime Transport Act or any rule made under the Act.*

The Association of Marine, Aviation and Power Engineers considered that "the requirements of this rule are too onerous for short route passenger ships due to shortage of staff and pressure to maintain tight schedules." They suggested the rule be deleted. Tranzrail felt the rule was "virtually impossible" to comply

with. Sanford Limited believed that this part of the rule “needed to become more practical.”

*An exception is made so that the opening and immediate closing of a watertight door for access does not need to be noted in the logbook.*

### **23.35 Closing appliances to be kept closed**

Mr Smallridge of Timaru suggested that there should be indicator lights on the bridge to indicate if bow and stern doors were open or closed.

*Parts of this rule have been omitted from the final Part 23. These requirements will be considered together with other construction requirements for passenger ships in the consultation process for Part 40B.*

### **23.36 Closing of watertight doors**

- (1)(b) The New Zealand Shipping Federation queried whether this subparagraph added anything to the rule. They noted that “The exceptions listed could be debated as to their validity, however we believe they could be removed without changing the safety requirement of the Rule.”

*We agree. The intention of this rule is to ensure that watertight doors are kept closed at all times when the vessel is at sea; the only exception being for immediate access for personnel.*

*Sub-paragraph (b) appears to suggest that the doors need only be closed during the conditions listed. Rule 23.36(1)(b) is removed.*

- (1)(b)(ii) The Association of Marine, Aviation and Power Engineers considered that this requirement exceeded the requirements of SOLAS “and in view of the fact that these doors can be closed at any time by the operation of a switch on the bridge safety of the ship is not greatly improved by this requirement. Further on ships engaged in short routes with frequent arrivals and departures speedy access to the machinery spaces to attend the machinery leads to better ship safety by maintaining ships power.” Tranzrail submitted similar concerns and suggested the wording of SOLAS Chapter II-1 Regulation 15 be used.

*As SOLAS requires the watertight doors to be closed at all times except “for limited periods when absolutely necessary” (Chapter II, Part B, Regulation 15, Paragraph 7.1.2.3) it is not correct to say that the requirement exceeds the*

*SOLAS requirement. In fact this rule provided an exemption to SOLAS in that the doors could be left open when not in the listed environmental conditions. The exemption in rule 23.36(1)(b)(ii) has now been removed.*

*Power operated doors must be able to close within 60 seconds of activation on the bridge (with the vessel in the upright condition). Ignoring the time taken for the switches to be activated, 60 seconds is not fast enough to prevent a major disaster. This is why SOLAS insists that these doors be kept closed. We agree with the SOLAS requirements.*

*A vessel operator may apply to the MSA for an exemption to this Part if they believe that leaving a specific door in the open position for a specific period of time will enhance ship safety.*

*It is further noted that new vessels tend not to have the large number of watertight doors in the engine room that the present Tranzrail interisland ferries have. With the expected new tonnage watertight doors in the engine room are less likely to cause concern to personnel working in the space.*

#### **Proposed Amendments Initiated by MSA**

##### **23.21 Emergency training and drills**

This rule incorrectly required fire and abandon ship drills at weekly intervals. This has been corrected to require monthly intervals.

##### **Section 2 - Openings in the hull and watertight bulkheads**

This section is re-written to take into account changes to SOLAS and to improve its readability.

It is noted that SOLAS suggests the administration (Director) may wish to grant exemptions to some requirements after careful consideration of the impact on "ship operations and survivability".