
PURSUANT TO Section 47 of the Maritime Transport Act 1994,

I, SHARYN FORSYTH, General Manager Maritime Standards, acting under delegated authority, being satisfied that –

(a) the granting of the exemption will not breach New Zealand’s obligations under any convention; and
(b) the action taken or provision made in respect of the matter to which the requirement relates is as effective or more effective than actual compliance with the requirement;
(ba) the risk of harm to the marine environment will not be significantly increased by the granting of the exemption; and
(c) the risk to safety will not be significantly increased by the granting of the exemption,

HEREBY EXEMPT:

THE OWNER AND MASTER OF NON-SOLAS PASSENGER SHIPS, NON-SOLAS NON-PASSENGER SHIPS AND FISHING SHIPS LESS THAN 45M THAT PROCEED TO THE OFFSHORE LIMITS

FROM:

The requirements of Maritime Rules 40A(19)(3), 40A(19)(4), 40A(19)(5), 40A(19)(6)(A), 40C(16)(2) and 40D(57)(2)(a) -

40A.19 Egress

(3) Ready egress must be provided from –
   (a) decks or compartments that are permitted, in accordance with Appendix 2, to accommodate 12 or less passengers by –
      (i) at least 1 stairway; and
      (ii) any combination of stairway and laddensways.
(4) Ladderways required by subrules (3) and (6) must –
   (a) have a width of not less than 600 mm, measured between the inside of the handrails or any obstruction protruding within the handrails; and
   (b) have a tread width of not less than 100 mm with a non-slip surface; and
   (c) have an angle of not less than 22° to the vertical; and
   (d) be aligned, as far as possible, fore and aft and not athwartships; and
   (e) be well illuminated by day and night.
(5) Stairways required by subrules (3) and (6) must –
   (a) be provided with handrails at a vertical height of not less than 850 mm above the nosing of the treads, that are fitted so that there is no obstruction on or above the handrails that would tend to break a hand hold. Provided that, in the case of a stairway serving a step or break that does not exceed 1 metre in height, handrails may be omitted if suitable hand holds are provided; and
   (b) be provided with a centre line dividing rail where the width of the stairway is 1500 mm or more; and
   (c) have a clear vertical height of not less than 1.9 metres above the treads; and
   (d) have an angle to the vertical of not less than 45° when the number of passengers exceeds 200, and 37° when that number is 200 or less; and
   (e) in any ship proceeding beyond enclosed waters, be aligned forward and aft and not athwartships, if practicable; and
   (f) have stair treads that—
      (i) are not less than 150 mm wide; and
      (ii) are not less than 200 mm or more than 225 mm vertically apart; and
      (iii) have a non-slip surface; and
   (g) be well illuminated by day and night.
(6) At least two means of escape must be provided from all levels of passenger
accommodation in accordance with the following:
(a) below the weather deck the main means of escape from a passenger accommodation
space must be a stairway and the second means must be either a trunked ladderway or a
stairway, unless more than 12 passengers are permitted in the space, in which case the
second means must be a stairway.

40C.16 Shelter and passenger accommodation
(2) The owner of a ship that proceeds beyond restricted limits and carries 12 or less
passengers must ensure that the ship complies with the applicable requirements of
rules 40A.16 to 40A.21 inclusive of Part 40A of the maritime rules.

40D.57 Means of escape
(2) Each means of escape referred to in rule 40D.57(1) must comply with the following:
(a) below the weather deck the main means of escape must be a stairway and the
second means of escape must be a trunk or a stairway;

PROVIDED THAT:

At all times, the owner and master must ensure that:

1) The ship complies with all conditions imposed in a valid Certificate of Survey;
2) The ship complies with the applicable Maritime Transport Operator Plan (MTOP);
3) The ship is not permitted to accommodate more than 12 passengers in a single
passenger compartment;
4) The difference in height from the topmost bunk or furniture to any opening hatch intended
for egress should not exceed 750mm; and the size of the hatch should not be less than
460mm × 460mm;
5) The vertical rise of any ladderway does not exceed 6m without a landing;
6) Where no change of level is required, ready egress is provided by a doorway in
accordance with Maritime Rules 40A.19(1) or Maritime Rules 40A.19(2), as applicable;
7) Ships not having egress or means of escape prescribed in accordance with Maritime
Rule 40A.19(3) or MR 40A.19(6) comply with the required outcomes as stated in
the Australian National Standard for Commercial Vessels – Part C – Section 1 –
Subsections 5.3, 5.4, 5.5, 5.6 & 5.7;
8) The ship's operational manual or MTOP includes the procedure of passenger evacuation;
and
9) Regular drills are conducted as deemed appropriate by the master, which drills are
recorded in the register of drills.

For ships of less than 24m, in a passenger compartment accommodating no more than 12
passengers, the trunked ladderway could be replaced by a conventional ladderway.

The exemption shall be valid until 7th December 2022, unless withdrawn earlier in writing by the
Director.

SIGNED at Wellington on this 8th day of December 2017.

Sharyn Forsyth,
General Manager Maritime Standards,
Maritime New Zealand,
Acting Under Delegated Authority