EXEMPTION FROM THE REQUIREMENTS IN MARITIME RULE 34.22(1) AND 34.22(4)

PURSUANT TO Section 47 of the Maritime Transport Act 1994,

I, KENNETH CRAWFORD, Deputy Director Maritime Systems Assurance, 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)(iv) events have occurred that make the prescribed requirements unnecessary or inappropriate in the particular case; and;
(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:

(a) Seafarers to whom rule 34.20 applies whose medical certificates expire between 11 March 2020 and 30 June 2020; and
(b) persons employing or engaging seafarers described in (a)

FROM:

• For seafarers, the requirement in Maritime Rule 34.22(1) to hold a current certificate of medical fitness category A, A(T) or B issued under Part 34 after the date of expiry;
• For employers of seafarers or those engaging seafarers, the requirement in 34.22(4) to only employ or engage persons to whom rule 34.20 applies for employment on a ship if that person holds a current certificate of medical fitness category A, A(T) or B issued under Part 34;

PROVIDED THAT:

• The expired medical certificate was of category A, A(T) or B;
• Seafarers obtain a new medical certificate within THREE months of the date of expiry of the previous medical certificate;
• Seafarers continue to meet any conditions of the expired medical certificate;
• If a seafarer has been incapacitated by illness or injury for 30 or more days, the seafarer must not exercise the privileges of his or her certificate of competency or certificate of proficiency until an approved medical practitioner has re-examined the seafarer and is satisfied the seafarer meets the standard for the category of the expired certificate;
• If rule 34.20(1) applies, the expired medical certificate would have applied to the new certificate of competency or certificate of proficiency;
• A seafarer to whom this rule exemption applied must produce his or her expired certificate of medical fitness, when requested to do so by the Director; or the master of the ship on which the seafarer is employed or engaged; and
• Seafarers obtain a new medical certificate if required by the Director.

This exemption shall be valid until 30 September 2020, unless withdrawn earlier in writing by the Director.

SIGNED at Wellington on this 30th day of March 2020.

Kenneth Crawford
Deputy Director Maritime Systems Assurance
Maritime New Zealand
Acting under Delegated Authority