EXEMPTION FROM THE REQUIREMENTS IN MARITIME RULES 40A.52(1), 40C.48(A) AND 40D.44(1)(D)

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 WERE COMPLETED BEFORE 30TH NOVEMBER 2017 AND PROCEED TO THE OFFSHORE LIMITS

FROM:

The requirements in Maritime Rules 40A.52(1), 40C.48(a) and 40D.44(1)(d)

40A.52 General requirements
(1) Doors and other closures of openings within the bulkheads forming fire-resisting divisions must be, as far as is practicable, of the same fire-resisting standard as the division in which they are fitted, except that steel watertight doors need not be insulated. Doors to machinery spaces of Category A must be self-closing.

40C.48 General requirements
The following requirements apply to all ships:
(a) doors and other closures of openings within the bulkheads forming fire-resisting divisions must be, as far as is practicable, of the same fire-resisting standard as the division in which they are fitted, except that watertight doors of steel need not be insulated. Doors to machinery spaces of Category A must be self-closing.

40D.44 Doors in fire-resistant divisions
(1) (d) Doors fitted in boundary bulkheads of machinery spaces of category A must be self-closing and reasonably gastight.

This exemption only applies in respect of the rule requirements underlined.

PROVIDED THAT:

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

1) The ship complies with all conditions imposed in the applicable Certificate of Survey;
2) The ship complies with the applicable Maritime Transport Operator Plan (MTOP);
3) Signs are in place requiring that the doors to machinery spaces (Category A) remain closed when not in use;
4) Alarms or indicators are available to indicate to the master and crew members that the normal access or escape doors to machinery spaces (Category A) (including main entrance/exit to the engine room) are open or closed;
5) The doors prescribed in Condition (4) are readily accessible at all times;
6) Alarms or indicators are available to alert the master and crew members that all doors to machinery spaces (Category A) (other than normal access or escape doors) are open or closed as reasonably practicable;
7) The alarms or indicators prescribed in Condition (4) and (6) remain operational at all times;
8) The maintenance of the alarms or indicators required are included in maintenance plan or schedule of the ship; and
9) The applicable MTOP includes an operating procedure or instrument to keep the doors to machinery spaces (Category A) closed when not in use.

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