EXEMPTION FROM THE REQUIREMENTS OF MARITIME RULES 40A.60, 40C.56, 40D.73, 40E.56, 41.4 AND 41.5

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) (i) 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, and
(ii) the prescribed requirements are clearly unreasonable 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:

THE OWNER OF ANY SHIP THAT HELD A VALID CERTIFICATE OF SURVEY ISSUED BY THE AUSTRALIAN MARITIME SAFETY AUTHORITY BEFORE A SURVEY IS COMPLETED BY A MARITIME NEW ZEALAND RECOGNISED SURVEYOR

FROM:

The requirements of Maritime Rules 40A.60, 40C.56, 40D.73, 40E.56, 41.4 and 41.5 –

40A.60 Testing and marking
Anchors of more than 75 kgs and chain cables of 12.5 mm diameter or more must comply with the testing and marking requirements contained in Part 41.

40C.56 Testing and marking
Anchors of more than 75 kgs weight, and chain cables of 12.5 mm diameter or more must comply with the testing and marking requirements contained in Part 41.

40D.73 Testing and marking
For anchors of more than 75 kgs weight, and chain cables of 12.5 mm diameter or more, the testing and marking requirements contained in Part 41 must be met.

40E.56 Testing and marking
Ships that—
(a) carry anchors of more than 75 kilograms weight; or
(b) have chain cables of 12.5 mm or more in diameter,
must comply with the testing and marking requirements prescribed in Part 41.

41.4 Anchors
The owner of a ship must not fit an anchor that is manufactured outside New Zealand to the ship unless the anchor has been examined and tested by an inspecting organisation and the surveyor has—

(a) sighted the original or a certified copy of the certificate of test; and
(b) verified that markings on the anchor are consistent with the certificate of test.
41.5 Chain cables and accessories

The owner of a ship must not fit a chain cable or any accessory that is manufactured outside New Zealand to the ship unless that chain cable or accessory has been examined and tested by an inspecting organisation and the surveyor has—
(a) sighted the original or a certified copy of the certificate of test; and
(b) verified that markings on the chain cable or accessory are consistent with the certificate of test.

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 anchor and chain system have been assessed and verified by one of the methods listed in the Australian National Standard for Commercial Vessels (NSCV) Part C Subsection 7D, 2.3.3.2;
4) Verification of the anchoring system has been provided to the MNZ surveyor through a copy of the manufacturer’s or supplier’s product certificates issued by one of the organisations listed in NSCV Part C Subsection 7D, 2.3.3.2;
5) The anchoring system is in good condition and of appropriate size as listed in the applicable Maritime Rule Part 40 series; and
6) The category, activities and limits of the vessel are the same (or are the New Zealand equivalent) as those authorised by the Certificate of Survey issued by the Australian Maritime Safety Authority held before its change over to New Zealand Survey.

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