EXEMPTION FROM THE REQUIREMENTS OF MARITIME RULES 49.5(2) and 49.11(5)

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:

The owners and masters of foreign ships with lifting appliances and items of loose cargo gear used for working cargo in New Zealand whose Certificates of Test expire after 11 March 2020

FROM:

49.5 Testing of ship’s lifting appliances and loose cargo gear
(2) The owner of a ship must ensure that, at least once in every five year period, subject to rule 49.5(7), every lifting appliance on the ship is re-tested in accordance with rule 49.5(3) by a competent person.

49.11 Certificates of test
(5) Subject to rule 49.5(7), the master of a ship must ensure that a valid certificate of test, or certified copy of the certificate of test, for each of the ship’s lifting appliances and each item of loose cargo gear carried by the ship is readily available on board the ship and kept with the register of equipment.

Provided that:

- A valid Certificate of Test was held up until its expiry after 11 March 2020;
- The required test by a competent person occurs within 5 years and 3 months of the previous test;
- The ship’s flag administration has approved the extension;
- The vessel’s Classification Society has endorsed the extension;
- The vessel’s chief or second engineer performs an inspection of the lifting appliances prior to each cargo operation in New Zealand and the Master provides a declaration of this inspection which is retained in the register of equipment, noting any element of the lifting appliance that is found to be unsatisfactory; and
- If any element of the lifting appliance is found to be unsatisfactory during the inspection by the chief or second engineer, no person may use that lifting appliance until any defect is remedied to the satisfaction of a competent person.
This exemption shall be valid until **30 June 2020** unless withdrawn earlier in writing by the Director.

**SIGNED** at Wellington on this 20th day of April 2020

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