EXEMPTION FROM THE REQUIREMENTS OF MARITIME RULES 40E.21(5) AND 40E.21(6).

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; 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 AND MASTER OF ANY SAILING SHIP LESS THAN 24M WHICH IS A POST-10 APRIL 2010 SHIP THAT PROCEEDS TO THE OFFSHORE LIMITS

FROM:

The requirements of Maritime Rules 40E.21(5) and 40E.21(6)

40E.21 Openings in the hull

(5) Portlights fitted below the weather deck of any post-10 April 2010 ship must be either non-opening or of a type that has at least two screw up dogs, have a glazed diameter of not more than 250mm, or equivalent area and, along with their glasses and deadlights, be constructed to the satisfaction of the surveyor and comply with the requirements of standard ISO 12216 Small craft – Windows, portlights, hatches, deadlights, and doors – Strength and tightness requirements.

(6) Portlights of a type that have at least two screw up dogs must be secured closed when the ship is in navigation.

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) Portlights fitted below the weather deck are designed, manufactured and constructed in accordance with the applicable standards published by a member of International Association of Classification Societies (IACS), or ISO 12216:2002 (Small craft – Windows, portlights, hatches, deadlights, and doors – Strength and tightness and its updates), having regard to the location, strength, supporting structure of the portlights.
3) The glazed area of the non-opening type portlights fitted below the weather deck does not exceed 0.16m² (or a round area with maximum diameter of 450mm);
4) The glazed area of the opening type portlights fitted below the weather deck does not exceed 0.07m² (or a round area with maximum diameter of 300mm), unless a larger size is assessed and permitted in accordance with the standards prescribed in Condition (2);
5) The size and shape of the portlights fitted below the weather deck have been approved by a Recognised Surveyor (Design Approval) holding an appropriate recognition;
6) The securing method of the opening type portlights fitted below the weather deck has been approved by a Recognised Surveyor (Design Approval) holding an appropriate recognition;
7) Each opening type portlight fitted below the weather deck is fitted with a deadlight cover, or provided with a blanking plate (at least 50% for each size of portlights in the ship), which can be efficiently secured in place in the event of breakage; and
8) Opening type portlights fitted below the weather deck are secured in a closed position during ship operation.

This 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.

[Signature]

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