EXEMPTION FROM THE REQUIREMENTS OF MARITIME RULE 40D.34(4)(B)

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 FISHING SHIP LESS THAN 24M THAT PROCEEDS TO THE OFFSHORE LIMITS AND TO WHICH MARITIME RULE 40D.34(4)(A)(ii) APPLIES

FROM:

The requirements of Maritime Rule 40D.34(4)(b)

40D.34 Ships of less than 24 metres in length

(4) The surveyor referred to in subrule (2) must—
   (b) confirm that the righting lever curves meet the criteria provided in rule 40D.33(4)(c).

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 its operator’s safety management system;
3) The ship does not engage in purse seining or forms of fishing using heavy towing gear (including trawling, dredging or similar forms of fishing);
4) The stability has been assessed and deemed appropriate by a Recognised Surveyor (Design Approval) holding appropriate recognition; and
5) The statical stability curve (GZ curve) of the ship complies with the following criteria:
   (i) the area under the righting lever curve (GZ curve) must not be less than –
      (a) 0.055 metre-radians up to 30° angle of heel; and
      (b) 0.090 metre-radians up to 40°;
   (ii) the area under the GZ curve between the angles of heel of 30° and 40° or between 30° and downflooding angle if this angle is less than 40° must not be less than 0.03 metre-radians;
   (iii) the righting lever (GZ) must be at least 200 millimetres at an angle of heel equal to, or greater than 30°;
(iv) except as provided in paragraph (v), the maximum righting lever \( (GZ_{\text{max}}) \) must occur at an angle of heel preferably exceeding 30°, but not less than 25°;
(v) if the ship has a hull form that results in the maximum GZ occurring at an angle of heel less than 25°, but not less than 15°, this may be accepted by a Recognised Surveyor (Design Approval) provided the area under the GZ curve up to the angle at which the maximum GZ occurs is not less than:

\[
0.055 + 0.001 (30 - \theta_{\text{max}}) \text{ metre-radians}
\]

where: \( \theta_{\text{max}} \) is the angle of heel at which the righting lever curve reaches its maximum (°).
(vi) after correction for free surface effects, the initial metacentric height (GM) must not be less than 0.35 metres; and
(vii) the range of positive stability must not be less than 60°.

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.

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