

Maritime Safety Systems

Maritime Rules Exemption Application – MAR MSS 112

Use this form when requesting vessel-related exemptions including manning exemptions from any Maritime Rules (Parts 21-91) under the Maritime Transport Act 1994 **except** Part 32: Ships' Personnel – Qualifications. Separate forms are available for Part 32 and Marine Protection Rules exemption requests.

Guidance for completing this form

Maritime New Zealand can only grant an exemption to Maritime Rules under section 47 of the Maritime Transport Act 1994, which allows an exemption if:

1. The exemption would not breach New Zealand's obligations under any international convention
2. At least one of these factors is true:
 - a) The requirement from which you are seeking exemption has been substantially complied with and further compliance is unnecessary
or
 - b) The action taken or provision made is as effective or more effective than actual compliance
or
 - c) The requirements prescribed in the rules are clearly unreasonable or inappropriate in this particular case
or
 - d) Events have occurred which make the prescribed requirements unnecessary or inappropriate
3. In addition, the risk to safety would not be significantly increased.

All three requirements must be met for the exemption to be granted. Your request must clearly state under which factor you are seeking exemption—either 2 a, b, c or d above. Only one factor need be stated.

In this form, you are asked to identify the rule from which you are requesting an exemption. You must include the Part number and the paragraph. As a double check, you are also asked to provide the text for that rule.

For example:

Rule 21.13(1)(b)

(1) The owner of a ship to which this section applies must ensure that—

(b) a New Zealand Safe Ship Management Certificate issued by the Director or by an authorised person is for the time being in force in respect of the ship;

Ensure that your request relates to the quoted rule. Your request may quote more than one rule.

Surveyor Endorsement

All applications for exemptions using this form must be signed by a ship's surveyor recognised in the field to which the application is directed, and must be submitted through – and with the endorsement of – the ship owner's safe ship management company. When appropriate, supporting information should be provided, in writing, by the attending surveyor.



VESSEL INFORMATION

Vessel name: _____

MNZ number: _____

LOA (metres): _____

Vessel operating limits: _____

Type of operation: _____

Surveyor: _____

SSM Company: _____

OWNER INFORMATION

Owner's name: _____

Contact telephone number: _____

Mobile number: _____

Email: _____

Postal address: _____

EXEMPTION REQUEST DETAILS

Date of request: _____

Part/rule number(s): _____

Part/rule text: _____



COMPLETE ONE OF THE FOLLOWING (if necessary, continue on a separate attached sheet):

In what way has the requirement from which you are seeking exemption been substantially complied with, and why is further compliance unnecessary? _____

What action has been taken or provision made that is as effective as or more effective than that required? _____

Why, in this particular case, are the requirements prescribed in the rules clearly unreasonable or inappropriate? _____

What events have occurred which make the prescribed requirements unnecessary or inappropriate? _____



ASSESSMENT OF SAFETY RISK

Taking into account the purpose of the rule, explain how, in this case, and given any action taken or provision made, the risk to safety is not significantly increased (if necessary, continue on an attached sheet).

PAYMENT METHOD

I am paying my \$343 application fee by:

- Credit Card (attach credit card form)
- Cheque made out to Maritime New Zealand
- Bank transfer to Maritime New Zealand account 03-0558-0142032-00

Vessel name, MNZ/MSA number and the word **Exemption** (ex: Maritime MNZ# 100000 EXEMPTION) must be included in the payment reference. A further fee may be charged if an exemption request is approved but requires more technical and management input. These additional costs will be invoiced upon the certificate being issued.

DECLARATION

I hereby confirm that the vessel complies, or will comply, with all other relevant maritime and marine protection rules and that the risk to safety will not be significantly increased by the granting of this exemption. I also understand that, to my knowledge, this exemption does not breach New Zealand's obligations under any international convention.

Signed: (Owner or Operator)

Signed: (Surveyor)

Endorsed by SSM Company:
