

**1976/226**



**THE GENERAL HARBOUR (SHIP, CARGO, AND DOCK SAFETY) REGULATIONS 1968, AMENDMENT NO. 2**

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EDWARD DENIS BLUNDELL, Governor-General  
By his Deputy, RICHARD WILD

ORDER IN COUNCIL

At the Government House at Wellington this 9th day of August 1976

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL BY HIS DEPUTY IN COUNCIL

PURSUANT to the Harbours Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the General Harbour (Ship, Cargo, and Dock Safety) Regulations 1968, Amendment No. 2, and shall be read together with and deemed part of the General Harbour (Ship, Cargo, and Dock Safety) Regulations 1968\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the fourteenth day after the date of their notification in the *Gazette*.

**2. Ships in harbour to maintain persons on board to ensure safety**—The principal regulations are hereby amended by revoking regulation 5, and substituting the following regulation:

“5. (1) The master of any ship not exceeding 44 m register length, or of any punt, barge, or lighter which does not have its own means of propulsion, or of any ship exceeding 44 m register length for which no articles of agreement with the crew are in force shall provide for the safety of the ship, punt, barge, or lighter while it is in harbour, and of any person or property on board, in accordance with subclause (2) of this regulation.

\*S.R. 1968/240  
Amendment No. 1: S.R. 1972/190

“(2) The obligation of the master under subclause (1) of this regulation is to maintain a person or persons on board the vessel as required by the Harbourmaster, and at such times as he may specify.

“(3) The master of any ship over 44 m register length, other than a punt, barge, or lighter which does not have its own means of propulsion, shall, when—

- (a) The ship is in harbour; and
- (b) Articles of agreement with the crew are in force; and
- (c) Neither a deck officer is on duty and on deck nor any seaman is otherwise on duty and on deck—

provide for the maintenance of a wakeful deck watch by a seaman or other competent watchman.

“(4) A master who orders any seaman or requires any watchman, not being a seaman, to maintain a wakeful deck watch for the purposes of subclause (3) of this regulation shall clearly instruct that seaman or watchman in writing as to his duties, and may include among those duties the reasonable surveillance of any adjacent ship or ships.

“(5) The duties of every such seaman or watchman shall, in every case, include—

- (a) Observation of all persons who leave or board any such ship during his period of watch:
- (b) The immediate reporting to the master or duty officer of any such ship or to the police or harbour authority of any incident endangering or likely to endanger any such ship or any person or property on board:
- (c) The sounding, in the case of fire on any such ship, of that ship's alarms, and the immediate reporting of such fire to the harbour authority and the nearest fire brigade.

“(6) Every seaman or watchman shall carry out the duties referred to in subclauses (4) and (5) of this regulation and shall, in any particular case, render such assistance as the Harbourmaster, a constable, a Surveyor of Ships, a Port Safety Inspector, or any other public officer may reasonably require or direct.

“(7) Where a vessel does not have a master, the obligations expressed to be imposed by this regulation on the master shall be performed by the owner of that vessel.”

**3. Testing and inspection fees**—The principal regulations are hereby further amended by revoking the Third Schedule (as added by regulation 8 of the General Harbour (Ship, Cargo, and Dock Safety) Regulations 1968, Amendment No. 1), and substituting the new Third Schedule set out in the Schedule to these regulations.

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## SCHEDULE

## NEW THIRD SCHEDULE TO PRINCIPAL REGULATIONS

## "THIRD SCHEDULE

Reg. 16A (4)

## TESTING AND INSPECTION FEES

Testing and Inspection	Fee
	\$
For any testing or inspection of a cargo container or mechanical cargo handling equipment, for each hour or part thereof spent in attendance .....	15.00
For design approval of a cargo container or mechanical cargo-handling equipment, for each hour or part thereof engaged in the work .....	12.00"

P. G. MILLEN,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations amend the General Harbour (Ship, Cargo, and Dock Safety) Regulations 1968. Regulation 2 substitutes a new regulation 5 in the principal regulations providing that in the case of ships which are not covered by regulation 5 (1) and (2)—

- (a) A wakeful watch shall be kept on deck; and
- (b) Any fire on board shall be reported to the harbour authority and the nearest fire brigade.

Regulation 3 substitutes a new scale of testing and inspection fees.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 August 1976.

These regulations are administered in the Ministry of Transport.