



**THE MASTERS AND MATES (COASTAL, FISHING, AND
RESTRICTED-LIMIT SHIPS) QUALIFICATION
REGULATIONS 1993**

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 15th day of March 1993

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to sections 19 and 504 of the Shipping and Seamen Act 1952, Her Excellency the Governor-General, acting on the recommendation of the Minister of Transport made after consultation by the Minister with organisations which appeared to the Minister to be representative of owners and seafarers, and 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 *Masters and Mates (Coastal, Fishing, and Restricted-Limit Ships) Qualification Regulations 1993*.

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Shipping and Seamen Act 1952:

“Ancillary certificate” means—

- (a) A restricted radiotelephone operator's certificate:
- (b) A restricted radar certificate:
- (c) A first aid certificate:
- (d) A certificate of proficiency in survival craft:
- (e) A ship firefighting certificate:
- (f) An advanced ship firefighting certificate:
- (g) An electronic navigation systems certificate:
- (h) A certificate in signalling;—

and references in these regulations to such certificates are references to certificates of the particular specified type approved by the Secretary:

“Approved” means approved by the Secretary for the relevant purpose:

“Audit” means a systematic and independent examination to determine whether—

- (a) The process of maritime training complies with planned arrangements; and

(b) Planned arrangements are implemented effectively and are suitable to achieve objectives:

“Candidate” means a person who applies to take an examination, or part of an examination, for any certificate of a grade specified in regulation 3 of these regulations:

“Certificate”—

(a) Means a certificate or licence issued by the Secretary in accordance with the provisions of the Act, being a certificate or licence of any of the grades specified in regulation 3 of these regulations; and

(b) Includes any qualifications recognised as equivalent to any such certificate or licence under the Shipping (Recognition of Certificates of Competency) Order 1988*:

“Commercial vessel” means any ship that is required to have (or would, if it were a New Zealand ship, be required to have) a certificate of survey under the Act:

“Examiner” means a person appointed by the Secretary under section 19 (1) of the Act to examine masters and mates for certificates of competency:

“Launch” means a power driven vessel of 20 metres register length or less:

“Ministry” means the Ministry of Transport:

“Prescribed form” means a form approved by the Minister under section 502 of the Act:

“Principal Examiner” means the person who is appointed by the Secretary under section 19 (1) of the Act for the purposes of granting certificates in accordance with these regulations; and, if more than one such person is appointed, the term means the one who is in overall charge of the conduct of the examinations and includes that person’s deputy:

“Qualifying service” means sea service or other acceptable service performed and assessed in accordance with regulations 23 and 24 of these regulations:

“Secretary” means the Secretary for Transport.

PART I

CERTIFICATES

3. Grades of certificate—(1) Certificates of competency shall be granted under these regulations for each of the following grades:

- (a) Skipper of deep-sea fishing boat:
- (b) Mate of deep-sea fishing boat:
- (c) New Zealand coastal master:
- (d) Commercial launchmaster.

(2) Local launchman’s licences shall also be granted under these regulations.

4. Replacement of lost or damaged certificates—(1) Any person whose certificate has been lost or damaged may apply in the prescribed form to a Superintendent of Mercantile Marine for a certified copy of the certificate.

(2) Any such application shall be accompanied by the prescribed fee (if any).

5. Cancellation or endorsement of certificates—A candidate shall submit any existing certificate held by the candidate that may be required by the Secretary for cancellation or endorsement.

PART II

GENERAL REQUIREMENTS

6. Application for certificates—(1) Every initial application for examination for each grade of examination under these regulations shall be made on the prescribed form.

(2) The prescribed form is obtainable from any mercantile marine office and every completed application form shall be sent by post to the office of the Examiners of Masters and Mates, Maritime Transport Division, Ministry of Transport, Wellington so as to arrive at least 14 days before the scheduled examination date.

(3) Every application form shall be completed in sections A, B, and C, signed, and accompanied by—

(a) Proof of having undertaken the sight test in accordance with the First Schedule to these regulations:

(b) Testimonials as required by regulation 10 of these regulations:

(c) Proof of qualifying service in accordance with regulations 23 and 24 of these regulations:

(d) The appropriate prescribed fee (if any):

(e) Proof of age and identity.

(4) The Principal Examiner shall not permit an applicant to attend an examination until the requirements of subclause (3) of this regulation have been complied with. The issue of form M 5104 by the Ministry is deemed to be confirmation that the applicant is eligible to sit the examination.

(5) A certificate of competency shall not be issued until the candidate has produced—

(a) Satisfactory evidence of a pass in the examination prescribed in these regulations; and

(b) Where appropriate, proof of satisfactory attendance at an approved training course; and

(c) Any ancillary certificate required to be held by the candidate; and

(d) Evidence of medical fitness where appropriate; and

(e) Any existing certificates that may be required under regulation 5 of these regulations to be surrendered; and

(f) In the case of a candidate who has previously sat the same examination, a results form in respect of each such attempt; and

(g) Proof of any other qualification required by these regulations for the relevant certificate.

(6) Where a candidate is uncertain whether his or her service complies with the requirements of these regulations, the candidate may submit a completed application form and the appropriate administration fee together with the documents required by subclause (3) (c) of this regulation to the Principal Examiner for consideration.

(7) The documents required by subclause (5) of this regulation shall be provided within the time prescribed by these regulations or otherwise as specified by the Principal Examiner.

7. Fees—(1) The administration fee is payable for each certificate application.

(2) The examination fee is payable, where applicable, for each examination conducted by the Ministry.

(3) Such fees shall be prescribed by the Shipping (Fees) Regulations 1990*.

8. Proof of age and identity—Every candidate shall, before examination, produce a birth certificate, passport, or other satisfactory proof of age and identity.

9. Knowledge of English—Every candidate shall satisfy the examiner that the candidate is able to converse, read, and write in the English language sufficiently well to perform the duties required of a holder of the relevant certificate.

10. Testimonials—(1) Every candidate shall, before examination, produce—

(a) A satisfactory testimonial as to the candidate's experience, conduct, and ability on board ship during the period of at least 12 months' service preceding the commencement of the course or (in the case of the local launchman's licence) for the 6 months' service required by regulation 34 (1) (b) of these regulations; and

(b) A satisfactory testimonial as to the candidate's character during the period of at least 12 months preceding the examination.

(2) In the case of a candidate who—

(a) Has been a suspended person within the meaning of section 40A (2) of the Act; or

(b) Has failed to join his or her ship after signing the agreement, or has deserted ship; or

(c) Has been found guilty of gross misconduct during any period of qualifying service or at any time since obtaining his or her last certificate—

the testimonials shall relate to a 12-month period subsequent to any period of suspension under section 40A (2) of the Act or detention or imprisonment in respect of any of the matters referred to in paragraphs (a), (b), and (c) of this subclause.

(3) If the authenticity of any testimonial is in doubt, the candidate shall not be accepted for examination until the Principal Examiner is satisfied as to the authenticity of the testimonial.

11. Disabilities—(1) Where an examiner reasonably believes that, by reason of some disability (other than an eyesight disability) the candidate may not be able to carry out the duties required of him or her as the holder of the certificate sought by the candidate, the examiner shall report the matter to the Principal Examiner.

(2) The Principal Examiner shall require the candidate to undergo examination, at the candidate's expense, by an independent medical practitioner and then, in consultation with the Secretary, the Principal Examiner shall—

- (a) If the candidate has not taken the examination, either allow or refuse to allow the examination to proceed; or
- (b) If the examination has taken place, recommend to the Secretary either that the candidate be issued or not be issued with a certificate.

(3) On an application in writing, the Secretary may review a decision or recommendation of the Principal Examiner under subclause (2) of this regulation; and for the purpose may require the candidate to provide further medical opinions at the candidate's expense.

PART III

COURSE AND EXAMINATION AUDIT PROCEDURES

12. Audits—(1) The quality of the system of training and certification of personnel shall be verified by audit inspections based on the ISO 9000 series.

(2) The Secretary, in consultation with the New Zealand Qualifications Authority, shall determine the particular standard of the ISO 9000 series to be applied.

13. Audit fee—Where the Ministry is involved in an audit inspection, the fee payable for each audit inspection shall be as prescribed in the Shipping (Fees) Regulations 1990*.

14. Non-conformance with requirements—Where the findings of the auditor indicate that there is non-conformance with the applicable standard, the Secretary may refuse to issue certificates of competency.

PART IV

FINAL EXAMINATIONS

15. Syllabuses—The Secretary, after consultation with representatives of the industry, shall prescribe examination syllabuses for the purposes of these regulations.

16. Places and times—The Principal Examiner shall be given 14 days' notice of the date and place of examination.

17. Conduct of examinations—(1) A copy of the rules to be observed shall be made available to every candidate.

(2) A certificate may be withheld from any candidate who violates any of these rules.

18. Written examinations—(1) In a candidate's first attempt at a written examination under these regulations,—

- (a) The papers to be taken and the order in which the papers are to be taken; and
- (b) The time allowed for the examination; and

- (c) The marks allotted for the examination; and
 (d) The pass mark for the examination—
 shall be as specified in the Table to this regulation.
- (2) A candidate shall not pass the written part of an examination unless the candidate has achieved a pass mark in each individual subject within the time specified in the Table to this regulation.
- (3) Marks shall be awarded against an absolute standard and no scaling shall be allowed.
- (4) The standard of the written examination papers shall be verified by moderation.
- (5) The moderation process shall verify that the examination papers contain only questions within the prescribed syllabus, that each question is allocated the appropriate marks, and that the model answers are accurate.
- (6) Moderation shall take place as directed by the Principal Examiner who shall allocate the papers to the appropriate examination centre.
- (7) No one person shall carry out more than 2 of the following functions:
 (a) Teaching an examination subject:
 (b) Compiling or moderating papers in that subject:
 (c) Marking examination papers in that subject.

TABLE TO REGULATION 18
WRITTEN EXAMINATIONS

Certificate	Papers (and order in which taken at first attempt)	Time allowed in hours	Marks allotted	Pass mark for each subject
Skipper of Deep Sea Fishing Boat	<i>First day</i>			
	1. Ocean navigation and navigational aids ..	3.0	200	140
	2. General knowledge ..	2.0	150	105
	<i>Second day</i>			
Mate of Deep Sea Fishing Boat	3. Meteorology ..	2.0	150	90
	<i>First day</i>			
	1. Coastal navigation ..	3.0	200	140
	2. General ship knowledge	2.0	150	105
New Zealand Coastal Master	<i>Second day</i>			
	3. Ocean navigation ..	3.0	200	140
	4. Meteorology ..	2.0	150	90
	1. Coastal navigation ..	3.0	200	140
	2. General knowledge ..	2.0	150	105

19. Oral examinations—(1) The oral part of each examination shall be taken as arranged with and notified to the candidate.

(2) Candidates for certificates as skipper of deep-sea fishing boat, mate of deep-sea fishing boat, or New Zealand coastal master shall proceed to the oral examination on completion of the initial written examination, whether or not they have passed that written examination.

(3) No teacher shall examine any student he or she has taught.

20. Examination results—(1) Every candidate shall be advised in writing of the results of his or her examination as soon as practicable.

(2) Examination marks, results, and attendance records shall be sent in writing to the Principal Examiner as soon as possible after the examination.

21. Partial passes—(1) A pass in any written paper or in the oral part of the examination shall remain valid for a period of 24 months.

(2) If the candidate then passes the remainder of the examination within the 24 months he or she shall be allowed a further 12 months from the date of passing that remaining part to comply with the requirements of regulation 6 (5) of these regulations.

(3) The examination result shall be cancelled if the requirements of subclauses (1) and (2) of this regulation have not been met.

22. Failures—A candidate shall be regarded as having failed an examination, or part of an examination, if the candidate fails to attend at the time appointed, unless he or she produces a medical certificate or other satisfactory evidence of inability to attend.

PART V

QUALIFYING SERVICE

23. Qualifying service—(1) Except as otherwise provided in these regulations, qualifying service shall be sea service, or service within restricted limits where so specified in relation to the relevant certificate by regulations 28 to 34 of these regulations, performed in the deck department within a period of 10 years preceding the date of examination, provided that, where the qualifying service required exceeds 12 months, only 12 months of that service need have been performed within that 10 year period.

(2) Service performed in a capacity other than master, skipper, mate, apprentice, cadet, deck boy, ordinary seaman, able seaman, or deckhand shall be acceptable as qualifying service equivalent to two-thirds of the actual time served if the Principal Examiner is satisfied that the candidate has, during the whole time claimed, performed deck duties, which must include steering, mooring, and lookout duties, in addition to the candidate's own particular work on board.

(3) Service in pleasure yachts may be accepted as qualifying service for any kind of certificate, but the value of such service shall be assessed by the Principal Examiner in each case according to the grade or kind of certificate sought and shall not be assessed to exceed more than one-quarter of the time actually served.

(4) Sea service in the Seaman Specialisation Branch of New Zealand naval ships, or in naval ships belonging to any other country, that is equivalent to service required by these regulations may be accepted in full or in part as qualifying service at the discretion of the Principal Examiner.

(5) Service on vessels undergoing major repairs shall be accepted as qualifying service (but not as qualifying watchkeeping service) up to a maximum of 1 month for each grade of certificate under these regulations.

(6) The following shall not be acceptable as qualifying service:

(a) Time spent as a passenger:

(b) Service spent wholly in the provedore department or engine room department of a ship, or as radio operator or radio officer.

24. Calculation and proof of qualifying service—(1) Where qualifying service has been performed on a regular full-time basis, the length of service shall be reckoned from the date of engagement to the date of discharge.

(2) Where service has been intermittent or performed on a part-time basis,—

- (a) Proof of the number of hours of service on board ship shall be required; and
- (b) Unless otherwise established, not more than 8 hours in any 24-hour period shall be counted, and 1500 hours service over a period of not less than 12 months shall be counted as 12 months.

(3) A candidate shall provide proof of service by such of the following documents as may be appropriate:

- (a) Certificates of discharge:
- (b) Naval discharge certificates:
- (c) Letters and statements of service, with copies, from an employer, owner, master, skipper, harbourmaster, fishermen's association representative, or fisheries officer stating the dates of employment, names and registered lengths of vessels, actual hours worked (where appropriate), and the geographical areas of operation in which the candidate was employed:
- (d) Where service cannot be proved by any of the means specified in paragraphs (a) to (c) of this subclause,—
 - (i) A statutory declaration made by the candidate setting out the dates and type of employment, names and registered lengths of vessels, actual hours worked (where appropriate), and geographical areas of operation in which the candidate was employed; or
 - (ii) In the case of cadets attending approved courses where time undergoing training may be counted as qualifying service, a letter from the head of the training establishment setting out the dates of attendance and the type of course, and stating that the course has been satisfactorily completed.

25. Insufficient qualifying service—If, after a candidate has passed an examination, it is discovered that his or her qualifying service is insufficient to entitle the candidate to receive a certificate of the kind to which the examination related, the candidate shall not be entitled to receive a certificate; but a certificate may be granted to that candidate, without further examination, where—

- (a) The Secretary is satisfied that the error in the calculation of the candidate's qualifying service did not occur through any wilful misrepresentation on the part of the candidate; and
- (b) The candidate has subsequently completed the required qualifying service.

26. Qualifying service misrepresented—Where—

- (a) A candidate's eligibility for examination depends on the time for which and the capacity in which the candidate served on board ship while performing the necessary qualifying service, or upon

the production of a satisfactorily completed navigation work book; and

- (b) A wilful misrepresentation by the candidate as to such time or capacity, or a wilful falsification by the candidate of the work book, is discovered after the commencement of the examination, the candidate shall be deemed to have failed the examination, and shall not be permitted to resit it for a period of 6 months.

27. Attempted bribery—(1) A candidate for an examination under these regulations who offers a gratuity to any officer of the Ministry shall not be permitted to sit the examination.

(2) If such conduct occurs after the candidate has sat the examination, the result shall be cancelled and he or she shall not be permitted to resit for a further period of 12 months.

PART VI

PREREQUISITES FOR EXAMINATION

28. Skipper of deep-sea fishing boat—(1) A candidate for a certificate as skipper of deep-sea fishing boat shall qualify as follows:

(a) *Age*: A candidate shall be not less than 20 years of age:

(b) *Qualifying service*: A candidate shall have completed either—

(i) Not less than 12 months' qualifying sea service beyond restricted limits as a watchkeeping mate of a deep-sea fishing boat while holding a certificate as mate of deep-sea fishing boat; or

(ii) Not less than 12 months' qualifying sea service beyond restricted limits as watchkeeper in a commercial vessel other than a fishing boat while holding a certificate of a grade not lower than second mate of foreign going ship, provided that the candidate has also performed not less than 12 months' qualifying service at sea or within restricted limits in a fishing boat of more than 10 metres register length:

(c) *Approved training*: A candidate shall have satisfactorily attended and satisfactorily completed an approved training course:

(d) *Ancillary certificates*: A candidate shall hold the following ancillary certificates:

(i) A valid first aid qualification:

(ii) A restricted radiotelephone operator's certificate:

(iii) A restricted radar certificate:

(iv) An advanced ship firefighting certificate:

(v) A certificate in signalling:

(vi) A certificate of proficiency in survival craft:

(e) *Eyesight and fitness requirements*: A candidate—

(i) Shall pass the standard eyesight test and the test in colour vision prescribed in the First Schedule to these regulations; and

(ii) Shall, if the candidate is of or over 65 years of age, produce evidence of medical fitness to the satisfaction of the Principal Examiner:

(f) A candidate shall satisfactorily complete a navigation workbook as prescribed in the Second Schedule to these regulations while

performing the qualifying sea service. The completed workbook shall be produced to the examiner before examination.

(2) The examination shall consist of an oral examination and the written subject-matter specified in the Table to regulation 18 of these regulations.

29. Mate of deep-sea fishing boat—(1) A candidate for a certificate as a mate of a deep-sea fishing boat shall qualify as follows:

- (a) *Age*: A candidate shall be not less than 19 years of age;
- (b) *Qualifying service*: A candidate shall have completed not less than 12 months' qualifying service beyond restricted limits on a fishing boat as deckhand or in a position of greater responsibility, while holding any of the following certificates:
 - (i) A certificate as New Zealand coastal master;
 - (ii) A certificate as skipper of coastal fishing boat, or master of home trade fishing boat, or a United Kingdom certificate of competency as skipper (limited);
 - (iii) A certificate of service as skipper of coastal fishing boat endorsed for boats of over 30 feet register length;
 - (iv) Any certificate that the Principal Examiner considers equivalent to a certificate specified in subparagraphs (i), (ii), and (iii) of this paragraph;
- (c) *Approved training*: A candidate shall have satisfactorily attended and satisfactorily completed an approved training course;
- (d) *Ancillary certificates*: A candidate shall hold the following ancillary certificates:
 - (i) A valid first aid qualification;
 - (ii) A restricted radiotelephone operator's certificate;
 - (iii) A restricted radar certificate;
 - (iv) A basic ship firefighting certificate;
 - (v) A certificate in signalling;
- (e) *Eyesight and fitness requirements*: A candidate—
 - (i) Shall pass the standard eyesight test and the test in colour vision prescribed in the First Schedule to these regulations; and
 - (ii) Shall, if the candidate is of or over 65 years of age, produce evidence of medical fitness to the satisfaction of the Principal Examiner.

(2) The examination shall consist of an oral examination and the written subject-matter specified in the Table to regulation 18 of these regulations.

30. New Zealand coastal master—(1) A candidate for a certificate as New Zealand coastal master shall qualify as follows:

- (a) *Age*: A candidate shall be not less than 19 years of age;
- (b) *Qualifying service*: A candidate shall have completed not less than 3 years' qualifying service, of which—
 - (i) Not less than 2 years has been served on a ship plying beyond extended river limits; and
 - (ii) Not less than 18 months has been served at sea, or within restricted limits, as master or crew member in a commercial vessel while holding a certificate as commercial launchmaster or qualified fishing deckhand, or any equivalent certificate acceptable to the Principal Examiner; and

(iii) Not less than 6 months has been served at sea or within restricted limits on power driven vessels of not less than 10 metres:

(c) *Approved training*: A candidate shall have satisfactorily attended and satisfactorily completed an approved training course:

(d) *Ancillary certificates*: A candidate shall hold the following ancillary certificates:

(i) A valid first aid qualification:

(ii) A restricted radiotelephone operator's certificate:

(iii) A restricted radar certificate:

(iv) A basic ship firefighting certificate:

(e) *Eyesight and fitness requirements*: A candidate—

(i) Shall pass the standard eyesight test and the test in colour vision prescribed in the First Schedule to these regulations; and

(ii) Shall, if the candidate is of or over 65 years of age, produce evidence of medical fitness to the satisfaction of the Principal Examiner.

(2) The examination shall consist of an oral examination and the written subject-matter specified in the Table to regulation 18 of these regulations.

31. Home-trade endorsement for certificate as coastal master—

(1) A candidate for, or holder of, a certificate as New Zealand coastal master shall qualify for a home trade endorsement on that certificate where the candidate or holder—

(a) Is not less than 20 years of age; and

(b) Produces proof of not less than 12 months' watchkeeping service beyond restricted limits as officer in charge of a navigational watch on a vessel of less than 200 gross tonnage; and

(c) Produces a current certificate of medical fitness that has been—

(i) Issued in accordance with the Shipping (Medical Examination of Seafarers) Regulations 1986*; and

(ii) Issued not more than 1 year before the date on which it is produced for the purpose of obtaining an endorsement under this regulation.

(2) Upon fulfilment of the requirements of subclause (1) of this regulation and on payment of the prescribed fee (if any), the certificate as New Zealand coastal master shall be endorsed in the form set out in the Third Schedule to these regulations.

32. Commercial launchmaster—(1) A candidate for a certificate as commercial launchmaster shall qualify as follows:

(a) *Age*: A candidate shall be not less than 18 years of age:

(b) *Qualifying service*: A candidate shall have completed not less than 18 months' qualifying service at sea or within restricted limits, of which not less than 6 months has been served on a commercial vessel and not less than 2 months on a launch, provided that, where the candidate has attended an approved full-time fishery cadet training course,—

- (i) The total length of the qualifying service shall be reduced by any period spent by the candidate in attending the fishery cadet course, up to a maximum of 4 months; and
 - (ii) Not less than 4 months of the period of qualifying service shall have been served on a commercial vessel, and not less than 2 months on a launch:
- (c) *Approved training*: A candidate shall have satisfactorily attended and satisfactorily completed an approved training course:
 - (d) *Ancillary certificate*: A candidate shall hold a first aid qualification:
 - (e) *Eyesight and fitness requirements*: A candidate—
 - (i) Shall pass the reduced standard eyesight test prescribed in the First Schedule to these regulations; and
 - (ii) Shall take the test prescribed in that Schedule for colour vision and, in the event of failure to pass that test, any certificate issued to the candidate shall be endorsed to the effect that it is valid during the hours of daylight only; and
 - (iii) Shall, if the candidate is of or over 65 years of age, produce evidence of medical fitness to the satisfaction of the Principal Examiner.
- (2) The examination shall consist of a chartwork and tide exercise and a practical oral examination.

33. Endorsement to act as commercial launchmaster—A candidate for, or holder of, a certificate (other than as an inshore fishing skipper) or a local launchman's licence, that is specified as an alternative to a certificate as commercial launchmaster in—

- (a) The Second Schedule to the Shipping (Manning of Fishing Boats) Regulations 1986*; or
 - (b) The Second Schedule to the Shipping (Manning of Restricted-Limit Ships) Regulations 1986†—
- shall qualify for an endorsement to act as commercial launchmaster by—
- (c) Complying with the requirements of regulation 30 of these regulations; and
 - (d) Passing the engineering section of the examination for commercial launchmaster.

34. Local launchman's licence—(1) A candidate for a licence as local launchman shall qualify as follows:

- (a) *Age*: A candidate shall be not less than 18 years of age:
- (b) *Qualifying service*: A candidate shall have completed not less than 6 months' qualifying service at sea or within restricted limits, of which—
 - (i) Not less than 1 month has been served on the type of vessel which is to be endorsed on the licence, being a vessel that is not a pleasure yacht; and
 - (ii) Not less than 1 month has been served in the area within restricted limits for which the licence is required within the period of 12 months immediately preceding the date of the candidate's application for examination:

(c) *Ancillary certificate*: A candidate shall hold a valid first aid qualification:

(d) *Eyesight and fitness requirements*: A candidate—

(i) Shall pass the reduced standard eyesight test prescribed in the First Schedule to these regulations; and

(ii) Shall take the test prescribed in that Schedule for colour vision and, in the event of failure to pass that test, any licence issued to the candidate shall be endorsed to the effect that it is valid during the hours of daylight only; and

(iii) Shall, if the candidate is of or over 65 years of age, produce evidence of medical fitness to the satisfaction of the Principal Examiner.

(2) The examination shall consist of a chartwork exercise and a practical oral examination.

35. Special provisions relating to local launchman's licence—(1) A candidate for a local launchman's licence shall specify in the application for the licence the name of the launch or launches the candidate intends to serve on and the area or areas within extended river limits in which the candidate intends to operate, and this information shall be endorsed on any local launchman's licence issued to the candidate.

(2) Where the holder of a local launchman's licence applies to have the licence endorsed with the names of additional launches or areas of operation, the Principal Examiner—

(a) May endorse the licence accordingly; or

(b) Where the launch or area is substantially different from that already endorsed on the licence, may require a further pass in the whole or part of the examination for a local launchman's licence before so endorsing the licence; or

(c) Where endorsement is sought for a new area, shall, before endorsing the licence, require proof that the licence holder has completed at least 1 month's service in that area within the period of 12 months immediately preceding the application for endorsement.

(3) An application for endorsement under subclause (2) of this regulation shall be accompanied by the prescribed fee (if any).

(4) A local launchman's licence—

(a) Shall be valid for 5 years from the date on which the candidate passes the examination; and

(b) Shall have endorsed upon it the date on which the licence will, unless renewed, expire; and

(c) May be renewed from time to time for a 5 year period on written application to the Secretary prior to the date on which the licence is due to expire, accompanied by—

(i) The prescribed fee (if any); and

(ii) Proof of the holder having performed not less than 6 months' qualifying service as master of the vessels endorsed on the licence since the issue or most recent renewal of the licence, as the case may be; and

(iii) Where the licence holder is of or over 65 years of age, evidence of medical fitness to the satisfaction of the Principal Examiner; and

- (d) Shall be cancelled where the licence holder fails to apply for renewal before the relevant expiry date, or has insufficient service to meet the renewal requirements of paragraph (c) (ii) of this subclause.

PART VII

REVOCATIONS

36. Revocations—The following regulations are hereby revoked:

- (a) The Masters and Mates (Coastal, Fishing, and Pleasure Boats) Examination Regulations 1986 (S.R. 1986/107);
- (b) The Masters and Mates (Coastal, Fishing, and Pleasure Boats) Examination Regulations 1986, Amendment No. 1 (S.R. 1987/364).
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SCHEDULES

Regs. 28, 29, 30, 31, and 34 **FIRST SCHEDULE**
EYE SIGHT TESTS

Purpose

The purpose of these tests is to ensure that a person's eyesight is sufficiently good to enable the person to pick up and identify correctly the lights of distant ships at sea. Experience has shown that for this purpose a person must be able to reach certain minimum standards both of form and colour vision.

Conduct of tests

A sight test comprises a letter test and a lantern test as prescribed below.

The letter test is for form vision only; the lantern test is for form and colour vision combined. The Ishihara test is for confirmation of colour vision only, except as provided for in this Schedule where, with the approval of the Principal Examiner, it may be used as an alternative colour vision test.

Two standards are allowed in the eyesight test, that is,—

- (a) Standard eyesight test:
- (b) Reduced standard eyesight test.

The tests shall be conducted by a Designated Optometric Examiner (D.O.E.) who shall record the results of all tests on the Eyesight Test Report form and send them to the Principal Examiner who shall advise the candidate accordingly.

A pass in the letter test shall be valid for 12 months.

Letter test

The first test shall be the letter test conducted on Snellen's principle by means of charts of letters. On each chart the 3rd, 4th, 5th, 6th and 7th lines correspond to 6/24, 6/18, 6/12, 6/9, and 6/6 respectively.

Standard eyesight test—vision required

A candidate who opts to take the test without corrective lenses will be required to read correctly down to and including line 7 (6/6) with the better eye and down to and including line 6 (6/9) with the other eye.

A candidate who opts to take the test using corrective lenses must first take the test without such correction, in which case the candidate will be required to read correctly down to and including line 5 (6/12) with the better eye and down to and including line 3 (6/24) with the other eye. The candidate will then be tested with corrective lenses and will be required to read correctly down to and including line 7 (6/6) with the better eye and down to and including line 6 (6/9) with the other eye.

Reduced standard eyesight test—vision required

A candidate will be required to read correctly, without corrective lenses, down to and including line 4 (6/18). The candidate may elect to use both eyes together or separately.

FIRST SCHEDULE—*continued*EYE SIGHT TESTS—*continued*

The candidate will then be tested with corrective lenses and will be required to read correctly down to and including line 7 (6/6). The candidate may elect to use both eyes together or separately.

Method of testing

The test chart shall be mounted at a convenient height and shall be properly illuminated. The testing room shall be moderately lighted so that extreme contrast between the test chart and the background is avoided.

The candidate shall stand at right angles to the chart and exactly 6 metres away from it. The candidate shall then be required to read the chart commencing with the largest letter and to read each subsequent line from left to right.

The palpebral aperture must not obstruct a clear entrance pupil. If, with corrective lenses or without corrective lenses (or in both cases) a candidate fails to reach the required standard, an additional chart will be given in that part or those parts of the test in which the candidate has failed.

If, at the conclusion of the letter test, the candidate is considered to have reached the required standard, the candidate shall proceed to the lantern test unless the candidate holds a New Zealand certificate of competency for which a pass in the lantern test would have been a condition for issue.

If the candidate fails to reach the required standard, the following alternatives shall be explained to the candidate:

- (a) The candidate may break off the test and present himself or herself after not less than 3 months for a further test. In this case a certificate of failure shall be issued:
- (b) If the candidate did not use corrective lenses at the first attempt and the standard of unaided vision was such that the candidate could read correctly down to and including line 4 (6/18) with both eyes together or separately at the candidate's option, the candidate may present himself or herself for retesting at any time, but at the subsequent test the candidate shall use corrective lenses:
- (c) The candidate may proceed to the lantern test. In this case, a record of all mistakes made in the letter test and all mistakes (if any) made in the lantern test shall be forwarded to the Principal Examiner for a decision.

Lantern test

A Holmes Wright Type B lantern and mirror shall be provided for this test. The test is to be conducted in a room so darkened as to exclude all daylight.

The lantern shall be placed directly in front of the mirror so that the front part of the lantern shall be exactly 3 metres from the mirror, and in such a position that the lights reflected in the mirror show clearly when viewed by the candidate seated close to the lantern.

A candidate who has used corrective lenses may continue to use such aids in the lantern test, but tinted lenses shall not be permitted.

If a candidate makes mistakes at the beginning of the lantern test, the candidate shall be kept in a completely or partially darkened room for at

FIRST SCHEDULE—*continued*

EYE SIGHT TESTS—*continued*

least 10 minutes for darkness adaptations, and shall then begin the test again.

The lantern used for this test is designed to show 3 colours, namely, red, white, and green, singly through a large aperture or in pairs through small apertures.

The test shall commence with a series of lights shown through the large aperture followed by 4 complete circuits and 1 broken circuit of lights shown through the small apertures. Candidates shall be required to name the colours of the lights as they appear.

Sight test results

Where a candidate for a certificate of competency has passed in the letter test and makes no mistakes in the lantern test, he or she shall be deemed to have passed the whole test and the candidate's application form shall be so endorsed by the Principal Examiner.

Where the candidate is not a candidate for a certificate of competency and passes the whole test, the Principal Examiner shall issue a sight test certificate.

A certificate of competency issued to a candidate who passes the test using corrective lenses for any part of the test shall be endorsed to the effect that that person should use those lenses when on watch and that a spare pair of spectacles should be carried.

In the case of a candidate who passes the test wearing contact lenses, the certificate should be similarly endorsed to the effect that that person should carry a spare pair of contact lenses or spectacles.

A candidate who fails the standard test but passes the reduced standard test, where such a failure does not preclude the candidate from sitting the examination, shall have an appropriate endorsement made on the certificate of competency.

If, with either the large aperture or the smaller aperture lights, a candidate mistakes red for green, or green for red, the candidate shall be considered to have failed the lantern test.

A candidate who fails the lantern test shall, where such a failure does not preclude the candidate from sitting the examination, have an appropriate endorsement made on the certificate of competency.

If a candidate mistakes red or green for white, or white for red or green, and did not use corrective lenses, the candidate shall be tested with the Ishihara plates.

If the candidate fails to identify any one or more of the Ishihara plates, all results (lantern and Ishihara) shall be referred to the Principal Examiner for a decision, and the candidate shall be issued with a certificate notifying the candidate of his or her success or failure, as the case may be.

If the candidate does not complete the Ishihara test without a mistake, the candidate shall be advised that there appears to be a defect in his or her form vision and that the candidate may take the test again at any time after first obtaining corrective lenses.

If the candidate has previously failed in form vision, the candidate shall be retested in form vision, in addition to the lantern test, using corrective lenses.

FIRST SCHEDULE—*continued*

EYE SIGHT TESTS—*continued*

If the candidate makes further green/white or red/white or green/red mistakes after the foregoing procedure, all results (lantern and Ishihara) shall be sent to the Principal Examiner for a decision. Pending the receipt of the Principal Examiner's instructions, a candidate shall be allowed to proceed with any examination for a certificate of competency on the express understanding that this examination will be cancelled in the event of a failure in the sight test. In such case the candidate shall be notified by the issue of a certificate of his or her success or failure as a result of the Principal Examiner's decision.

Special Test

A candidate who fails to pass the lantern test may apply to the Principal Examiner for a special test on payment of the appropriate fee (if any), which shall be refunded if the candidate passes the special test.

The special test shall be supervised by 2 sight test examiners and may be undertaken at any port nominated by the Principal Examiner, who shall also notify the candidate as to the most suitable time and date. The candidate shall inform the Principal Examiner whether or not he or she will be able to attend, and any candidate who fails to appear at the appointed time, having previously informed the Principal Examiner that he or she will attend, shall be liable to have the test postponed indefinitely and shall forfeit the fee paid.

Alternative colour vision tests

A candidate for a local launchman's licence or a certificate as commercial launchmaster may be tested in colour vision by means of the Ishihara plates.

If the candidate fails to identify any one or more of the Ishihara plates, the result shall be referred to the Principal Examiner for a decision and the candidate shall be issued with a certificate notifying him or her of the results.

SECOND SCHEDULE

Reg. 28

NAVIGATION WORKBOOK FOR SKIPPER OF DEEP-SEA FISHING BOAT

The candidate shall complete the workbook while performing the qualifying service for Skipper of deep-sea fishing boat as set out in regulation 28.

The workbook shall have 8 pages comprising—

- One morning observation of the sun out of the meridian:
- One afternoon observation of the sun out of the meridian:
- Two observations of the sun on the meridian:
- One fix from 2 or more star observations at twilight:
- One compass error by azimuth of the sun:
- One compass error by azimuth of a star.

All calculations and necessary workings shall be shown on each page and the candidate shall sign each page.

Reg. 31

THIRD SCHEDULE

HOME TRADE ENDORSEMENT OF CERTIFICATE OF COMPETENCY AS NEW
ZEALAND COASTAL MASTER

(SEAL)

New Zealand

*Issued under the provisions of the International Convention on Standards of
Training, Certification, and Watchkeeping for
Seafarers, 1978*

I, the undersigned, certify that the present certificate No. is
issued to, who has been found duly qualified in accordance
with the provisions of Regulation of the International
Convention on Standards of Training, Certification and Watchkeeping for
Seafarers, 1978, as* with the following limitations only:

(Insert
limitations
or "none")

Date of issue of this endorsement

Signed

.....
Secretary for Transport

Date of birth of holder of certificate:

Signature of holder of certificate:

*Insert Convention grade or class of certificate.

MARIE SHROFF,
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, which come into force 28 days after the date of their notification in the *Gazette*, revoke and replace the Masters and Mates (Coastal, Fishing, and Pleasure Boats) Examinations Regulations 1986.

In particular, the regulations do not carry forward the certificates as Master of Pleasure yacht (ocean), master of pleasure yacht (coastal), or boatmaster, and include new provisions relating to the audit of courses.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 18 March 1993.
These regulations are administered in the Ministry of Transport.