



## THE MARINE ENGINEERS (EXAMINATION) 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.

#### ANALYSIS

1. Title and commencement
2. Interpretation

#### PART I

##### CERTIFICATES

3. Grades of certificate
4. Surrender of superseded certificate
5. Certificate to be endorsed in accordance with Convention
6. Replacement of lost or damaged certificates

#### PART II

##### GENERAL REQUIREMENTS

7. Application for certificate
8. Fees
9. Proof of age and identity
10. Knowledge of English
11. Testimonials
12. Medical fitness
13. Uncertain or insufficient qualifying service and initial training

- PART III**  
COURSE AND EXAMINATION AUDIT  
PROCEDURES
14. Audits
  15. Audit fee
  16. Non-conformance with requirements
- PART IV**  
PREREQUISITES FOR EXAMINATION
17. Engineer of local ship
  18. Marine engineer watchkeeper
  19. Marine engineer class 2
  20. Marine engineer class 2 with chief engineer endorsement
  21. Marine engineer class 1
  22. Exemptions
- PART V**  
INITIAL TRAINING
23. Initial training
  24. Deficiencies in initial training
  25. Proof of initial training
- PART VI**  
QUALIFYING SERVICE
26. Qualifying service
  27. Naval service
  28. Service in fishing boats and tug boats
  29. Service on auxiliary machinery
  30. Day work
  31. Calculation of sea service
  32. Proof of qualifying service

- PART VII**  
EXAMINATIONS
33. Syllabuses
  34. Places and times
  35. Conduct of examinations
  36. Written examinations
  37. Oral examinations
  38. Penalties for failure
  39. Examination results
  40. Passes, partial passes, and failures

- PART VIII**  
COURSE AND EXAMINATION SUBJECTS AND  
EXEMPTION
41. Marine engineer unit 1 course and examination
  42. Marine engineer unit 2 course and examination
  43. Engineer of local ship
  44. Marine engineer watchkeeper
  45. Marine engineer class 2
  46. Marine engineer class 2 with chief engineer endorsement
  47. Marine engineer class 1
  48. Exemptions
  49. Recognition of passes or exemptions obtained before commencement of these regulations
  50. Revocation Schedule

## REGULATIONS

- 1. Title and commencement**—(1) These regulations may be cited as the Marine Engineers (Examination) 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 first aid certificate;
- (b) A certificate of proficiency in survival craft;
- (c) A basic ship firefighting certificate;
- (d) An advanced ship firefighting certificate;—

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 issued by the Secretary in accordance with the provisions of the Act, being a certificate 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\*:
- “Chief 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:
- “Commercial vessel” means any ship, other than a fishing boat, that is required (or would, if it were a New Zealand ship, be required) to have a certificate of survey under the Act:
- “Convention” means the International Convention on Standards of Training, Certification, and Watchkeeping for Seafarers done at London on the 7th day of July 1978; and includes any amendment or protocol to that Convention:
- “Current certificate of medical fitness” means a certificate of medical fitness—
- (a) Issued in accordance with the Shipping (Medical Examination of Seafarers) Regulations 1986†; and
- (b) Issued not more than 1 year earlier than the date on which that certificate is produced for the purpose of obtaining a certificate under these regulations:
- “Examiner” means a person appointed by the Secretary under section 19 (1) of the Act to examine engineers for certificates of competency:
- “Ministry” means the Ministry of Transport:
- “Prescribed form” means a form approved by the Minister under section 502 of the Act:
- “Qualifying service” means sea service or other acceptable service performed and assessed in accordance with Part VI of these regulations:
- “Secretary” means the Secretary for Transport:
- “Service at sea” and “sea service” means service in a ship plying outside restricted limits.

## PART I

### CERTIFICATES

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

- (a) Engineer of local motor ship (steam or motor or steam and motor);
- (b) Marine engineer watchkeeper (steam or motor or steam and motor);
- (c) Marine engineer class 2 (steam or motor or steam and motor):

\*S.R. 1988/20  
†S.R. 1986/104

- (d) Marine engineer class 2 with chief engineer endorsement (steam or motor or steam and motor):
- (e) Marine engineer class 1 (steam or motor or steam and motor).

**4. Surrender of superseded certificate**—The holder of a certificate of a particular grade shall not be issued with a certificate of a higher grade until the holder has surrendered the former certificate to the Secretary.

**5. Certificate to be endorsed in accordance with Convention**—Every certificate issued under these regulations, except a certificate as an engineer of local motorship, shall be endorsed in accordance with the Convention in the form set out in the First Schedule to these regulations.

**6. 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 for a certified copy of the certificate.

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

## PART II

### GENERAL REQUIREMENTS

**7. Application for certificate**—(1) Every application for a final examination or part of a final 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 Maritime Transport Division, Ministry of Transport, Auckland so as to arrive—

- (a) Before the first day of the course; or
  - (b) In the case of a candidate who has completed the course, at least 21 days before the scheduled examination date.
- (3) Every completed application form shall show clearly which examination or part of an examination the candidate wishes to sit.
- (4) Every application form shall be accompanied by—
- (a) Proof of age and identity as required by regulation 9 of these regulations:
  - (b) A testimonial as required by regulation 11 of these regulations:
  - (c) Where appropriate,—
    - (i) Proof of initial training in accordance with regulation 25 of these regulations:
    - (ii) Proof of qualifying service in accordance with regulation 26 of these regulations:
    - (iii) Any ancillary certificate required to be held by the candidate:
    - (iv) A current certificate of medical fitness:
    - (v) Proof of any other qualification required by these regulations for a particular certificate or in respect of which an exemption is claimed:
    - (vi) Any former certificate of a lower grade required by regulation 4 of these regulations:
    - (vii) In the case of a candidate who has previously sat the same examination, a results form in respect of each such attempt.
- (5) The Chief 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 5105 by the Ministry is deemed to be confirmation that the applicant is eligible to sit the examination.

(6) Any ancillary certificate required by these regulations may be submitted after examination, but no certificate shall be granted to the candidate until all required ancillary certificates have been provided within such time as may be prescribed in these regulations or otherwise as specified by the Chief Examiner.

**8. 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\*.

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

**10. 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.

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

- (a) A satisfactory testimonial as to the candidate's experience, conduct, sobriety, and ability on board ship during the period of at least 12 months' service preceding the examination (or the whole of the period of sea service, where that is less than 12 months); 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) and (b) of this subclause.

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

**12. Medical fitness**—(1) A candidate for a certificate of a kind and grade specified in any of paragraphs (b) to (e) of regulation 3 of these regulations shall, before the certificate is used, submit a current certificate of medical fitness.

(2) Where the examiner considers that a candidate for any certificate may be incapable of performing adequately the duties of the holder of a certificate of the kind or grade sought because of any mental or physical disability, the Chief Examiner is to be advised. The Chief Examiner may, notwithstanding that the candidate has submitted a current certificate of medical fitness, require the candidate to undergo examination by a registered medical practitioner nominated by the Chief Examiner.

(3) The registered medical practitioner shall report to the Chief Examiner on the fitness of the candidate to perform adequately the duties of a marine engineer, and, where the report is unfavourable, the Chief Examiner may refuse to allow the candidate to sit the examination.

(4) If the examination has commenced before the disability is discovered or before the registered medical practitioner has reported to the Chief Examiner, the candidate shall be permitted to complete the examination, but, where the report is unfavourable, the matter shall be referred to the Secretary who shall decide whether or not the candidate may be permitted to hold a certificate.

**13. Uncertain or insufficient qualifying service and initial training**—(1) Where a candidate is uncertain whether his or her qualifying service or initial training or other qualification complies with the requirements of these regulations, the candidate may submit a completed application form, with the documents required by regulation 7 (4) of these regulations, to the Chief Examiner for consideration.

(2) If, after a candidate has passed an examination for a certificate, it is discovered that the candidate's initial training or qualifying service was insufficient to entitle the candidate to sit an examination for that certificate, the certificate shall not be granted; but a certificate may be granted to that person, without further examination, when the candidate has completed the appropriate period of initial training or qualifying service.

### PART III

#### COURSE AND EXAMINATION AUDIT PROCEDURES

**14. 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.

**15. 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\*.

**16. 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

#### PREREQUISITES FOR EXAMINATION

**17. Engineer of local ship**—(1) A candidate for a certificate as engineer of local ship shall be not less than 19 years of age.

- (2) A candidate for a motor certificate shall have completed—
- (a) Two years' craft, industrial, or other training of a practical nature that would qualify, towards initial training under regulation 23 of these regulations, and 12 months' operating experience with main propelling diesel engines of not less than 100kW power on commercial vessels; or
  - (b) Two years qualifying service while holding an integrated ratings certificate; or
  - (c) Three years' operating experience with main propelling engines of not less than 100kW power on commercial vessels, including not less than 2 years on ships propelled by diesel engines.
- (3) A candidate for a steam certificate shall have completed—
- (a) Two years' craft industrial, or other training of a practical nature that would qualify towards initial training under regulation 23 of these regulations, and 12 months' operating experience with steam engines or boilers of a ship or land installation; or
  - (b) Three years' operating experience with steam engines or boilers of a ship or land installation.
- (4) The candidate shall have completed a marine engineer local ship approved course.

**18. Marine engineer watchkeeper**—(1) A candidate for a certificate as marine engineer watchkeeper shall have completed initial training as specified in regulation 23 of these regulations, and shall in addition have completed qualifying service in vessels of not less than 750 kW power as follows:

- (a) For a steam certificate, not less than 6 months' service of which not less than 4 months has been spent on the boilers and main propelling machinery of a steamship;
  - (b) For a motor certificate, not less than 6 months' service of which not less than 4 months has been spent on the main propelling machinery of a motor ship;
  - (c) For a steam and motor certificate—
    - (i) Not less than 4 months' service on the boilers and main propelling machinery of a steamship; and
    - (ii) Not less than 4 months' service on the main propelling machinery of a motor ship.
- (2) The candidate shall have completed a marine engineer watchkeeper approved course.
- (3) The certificate shall not be issued unless and until the candidate—
- (a) Has completed satisfactorily the duties listed on the watchkeeping record form MOT 5103 or, in the case of a marine engineering cadet, the work record book or in the case of a marine engineering trainee, all written tasks and assignments; and
  - (b) Holds the following ancillary certificates:
    - (i) A basic ship firefighting certificate;
    - (ii) A proficiency in survival craft certificate;
    - (iii) A first aid certificate.

**19. Marine engineer class 2**—(1) A candidate for a certificate as marine engineer class 2 shall have completed initial training as specified in regulation 23 of these regulations and shall in addition have completed qualifying service in ships of not less than 750 kW power as follows:

- (a) For a steam certificate, not less than 18 months' service of which not less than 9 months has been spent on the boilers and main propelling machinery of a steamship, the remainder being spent—
  - (i) On the main propelling machinery or suitable auxiliaries of a ship however propelled; or
  - (ii) Subject to regulation 30 of these regulations, on day work:
- (b) For a motor certificate, not less than 18 months' service of which not less than 9 months has been spent on the main propelling machinery of a motor ship, the remainder being spent—
  - (i) On the main propelling machinery or suitable auxiliaries of a ship however propelled; or
  - (ii) Subject to regulation 30 of these regulations, on day work:
- (c) For a steam and motor certificate,—
  - (i) Not less than 9 months' service on the boilers and main propelling machinery of a steamship; and
  - (ii) Not less than 9 months' service on the main propelling machinery of a motor ship.
- (2) The candidate shall have—
  - (i) Completed a marine engineer unit 1 approved course, obtained the minimum course work mark necessary, and passed the final examinations; and
  - (ii) Completed a marine engineer unit 2 approved course, obtained the minimum course work marks necessary, and passed the final examinations; and
  - (iii) Completed a marine engineer unit 3 approved course.
- (3) A candidate may be exempted from the requirement of subclause (2) (i) of this regulation if the candidate has completed class 2 entrance under the Marine Engineers (Examination) Regulations 1986\*.
- (4) The certificate shall not be issued unless and until the candidate holds the following ancillary certificates:
  - (a) A ship firefighting certificate:
  - (b) A proficiency in survival craft certificate:
  - (c) A first aid certificate.

**20. Marine engineer class 2 with chief engineer endorsement—**

- (1) A candidate for a certificate as marine engineer class 2 with chief engineer endorsement shall, while holding the appropriate certificate as marine engineer class 2, have completed qualifying service as officer in charge of an engine room watch in ships with propelling machinery of not less than 750 kW as follows:
  - (a) For a steam or motor certificate, not less than 12 months' service in ships with steam or, as the case may require, motor propelling machinery:
  - (b) For a steam and motor certificate, not less than 18 months' service of which not less than 9 months has been spent in ships with steam propelling machinery and not less than 9 months in ships with motor propelling machinery.
- (2) The certificate shall not be issued unless and until the candidate holds the following ancillary certificates:
  - (a) An advanced ship firefighting certificate:
  - (b) A proficiency in survival craft certificate:





**22. Exemptions**—A candidate may be exempted from any requirement under this Part of these regulations to complete a course and sit final examinations if the candidate holds a qualification issued by an approved authority in New Zealand or overseas and the Chief Examiner is satisfied that the qualification is at least equivalent to that from which an exemption is sought.

## PART V

### INITIAL TRAINING

**23. Initial training**—(1) Any of the following, if undertaken in New Zealand, and completed in a period of not less than 3 years, shall be accepted as initial training for the purposes of Part IV of these regulations:

- (a) Completion of engineering craft training, including—
  - (i) Trade training courses leading to the award of the New Zealand Trade Certificate in fitting, turning, and machining, or in automotive engineering (heavy equipment); and
  - (ii) Not less than 12 months spent in fitting or repairing marine, mechanical, or other machinery approved by the Chief Examiner as suitable for training marine engineers:
- (b) Completion of engineering technician training, including not less than 18 months spent in fitting or repairing marine, mechanical, or other machinery approved by the Chief Examiner as suitable for training marine engineers:
- (c) Completion of marine engineer cadet training, including—
  - (i) Fifteen months' industrial training approved by the Chief Examiner; and
  - (ii) Twelve months' full-time study towards the New Zealand Certificate in Engineering (Power and Plant); and
  - (iii) Twelve months' sea service as a marine engineer cadet:
- (d) Completion of marine engineering traineeship, including—
  - (i) Integrated rating training and the award of the integrated rating certificate; and
  - (ii) A pass in the final examination for the trade certificate in fitting, turning, and machining; and
  - (iii) Forty weeks' sea service as an engineer trainee; and
  - (iv) Twelve months' industrial training approved by the Chief Examiner:
- (e) Full-time university or technical institute training, including—
  - (i) The award of a degree in mechanical or electrical engineering; and
  - (ii) Eighteen months spent in fitting or repairing marine, mechanical, or other machinery approved by the Chief Examiner as suitable for training marine engineers:
- (f) Marine engineering (propulsion) training as an artificer, mechanic, or fitter in the Royal New Zealand Navy.

(2) Training undertaken overseas may be recognised as equivalent to any training specified in subclause (1) of this regulation if the Chief Examiner is satisfied that the standard of course work and craft training is at least equivalent to that available in New Zealand.

**24. Deficiencies in initial training**—(1) Where the Chief Examiner considers that the initial training claimed by a candidate is insufficient, then, subject to subclauses (2) and (3) of this regulation,—

- (a) The Chief Examiner shall specify in writing to the candidate how the deficiency may be made good, whether by further engineer craft training or by compensatory sea service as a marine engineer officer or cadet; and
- (b) Notwithstanding that any training or compensatory sea service specified by the Chief Examiner under paragraph (a) of this subclause may not strictly comply with the requirements of regulation 23 of these regulations, it shall, on any subsequent application by the candidate, qualify towards that candidate's initial training in accordance with this regulation.
- (2) Compensatory sea service required under this regulation shall be performed on regular watch or day work in commercial vessels of not less than 750 kW power, and shall be performed after the candidate has attained the age of 19 years.
- (3) Two-thirds of any period actually spent on compensatory sea service in accordance with subclause (2) of this regulation may be counted towards the required period of initial training.

**25. Proof of initial training**—(1) A candidate shall produce original documents as evidence of the initial training claimed, showing the nature and duration of the practical work and courses.

(2) Where the evidence is in a language other than English, the applicant shall produce a certified translation into English.

## PART VI

### QUALIFYING SERVICE

**26. Qualifying service**—(1) Qualifying service shall be sea service performed under crew agreements on commercial vessels as engineer officer on regular watch in the main propulsion machinery spaces, during periods when the propelling machinery is in full use, for not less than 8 hours out of every 24 hours claimed.

(2) A candidate who has trained as a marine engineer cadet and who has completed satisfactorily the cadet training record book may have the sea service performed during the cadetship counted towards qualifying service required for the marine engineer watchkeeper certificate.

(3) In the case of a candidate for a certificate as engineer of local ship,—

(a) Service may be accepted as qualifying service notwithstanding that it has been performed in ships plying within restricted limits, or has not been performed under crew agreements:

(b) Service as an integrated rating shall be performed on engineering duties in the main propulsion machinery space.

(4) Sea service performed in ships operating with periodically unmanned machinery spaces shall qualify in full.

(5) Not less than 12 months of the required period of qualifying service for any certificate shall have been performed within the period of 10 years immediately preceding the date of the examination.

**27. Naval service**—(1) Sea service performed in ships of the Royal New Zealand Navy as engineer officer, artificer, mechanic, or fitter specialising in marine engineering shall be accepted as qualifying service.

(2) Sea service in naval ships of countries other than New Zealand may be accepted and assessed as qualifying service at the discretion of the Chief Examiner.

**28. Service in fishing boats and tug boats**—The Chief Examiner may, where satisfied that sea service performed in fishing boats and tug boats is equivalent to qualifying service under regulation 26 of the regulations, accept that service as qualifying service—

- (a) In the case of a candidate for a certificate for an engineer of a local ship, in full; or
- (b) In the case of a candidate for a certificate for a marine engineer watchkeeper, up to a maximum of 3 months; or
- (c) In the case of a candidate for a certificate for a marine engineer class 2, up to a maximum of 6 months.

**29. Service on auxiliary machinery**—Sea service on auxiliary machinery run independently of the main machinery shall be counted towards qualifying service as one half of the actual period of sea service, up to a maximum of 6 months.

**30. Day work**—(1) Sea service while employed solely on day work within the main machinery spaces shall be accepted as qualifying service in full up to a maximum of 8 months.

(2) Service while employed solely on day work in the machinery spaces of a ship while it is in port or in dry dock or under construction shall be accepted as qualifying service in full up to a maximum of 3 months.

**31. Calculation of sea service**—(1) Sea service as shown on discharge certificates and in testimonials shall be reckoned by the calendar month, covering a period commencing with a given day in any month and ending with the preceding day of the following month.

(2) The number of complete months having been computed in accordance with subclause (1) of this regulation, any additional days shall be added together and reckoned at 30 to the month.

(3) Certificates of discharge from ships that have more than one crew or have additional crew members signed on for relief purposes shall be accompanied by proof of the actual period spent on board, and sea service shall be assessed on that proof.

(4) In the case of a candidate for a certificate for an engineer of a local ship whose service has not been under agreements or has been on an intermittent or part-time basis, 1500 hours' service accumulated over a period of not less than 12 months shall be counted as 12 months' service, but not more than 8 hours in any 24 hours shall be accepted as qualifying service.

**32. Proof of qualifying service**—(1) A candidate shall produce a satisfactory testimonial in respect of any qualifying service in a ship, signed by the owner or an agent of the owner.

(2) The testimonial shall—

- (a) State the candidate's seniority, on watch, the nature and duration of the duties performed by the candidate, and the type of propelling machinery of the ship; and
- (b) Testify to the candidate's ability, conduct, and sobriety.

(3) Service that cannot be verified by proper entries in the articles of agreement of the ships in which the candidate has served, or by other satisfactory evidence, shall not be accepted.

(4) If there is any doubt of the authenticity or accuracy of any testimonial, discharge, or other proof of service, the Chief Examiner may take whatever action seems appropriate to obtain verification before a candidate is accepted for examination.

## PART VII

### EXAMINATIONS

**33. Syllabuses**—The Secretary, after consultation with representatives of the industry, may prescribe syllabuses for the purposes of these regulations.

**34. Places and times**—The Chief Examiner shall be given 14 days notice of the date and place of final examinations.

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

(2) A candidate who breaches any of those rules shall be failed and may be excluded from further examination for such period not exceeding 12 months as the Secretary may decide.

**36. Written examinations**—(1) The standard of written papers shall be verified by moderation.

(2) The moderation process will verify that the examination papers contain only questions that are within the prescribed syllabus and that each question is allocated the appropriate marks and that the model answers are accurate.

(3) Moderation will take place as directed by the Chief Examiner who will allocate the examination papers to the appropriate examination centre.

(4) Marks shall be awarded against an absolute standard and no scaling shall be allowed.

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

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

(3) The Chief Examiner may be represented at any oral examination.

**38. Penalties for failure**—(1) A candidate who fails to obtain sufficient marks for course work shall repeat the course.

(2) A candidate for any grade of certificate who fails any paper in the written part of the examination at the first attempt may be re-examined not less than 3 weeks after the first attempt.

(3) In the event of a second failure in a single paper, the candidate may not be re-examined until the next scheduled examination.

(4) A candidate who fails under subclause (2) or subclause (3) of this regulation shall be credited with any course work marks previously obtained in the relevant subject.

(5) A candidate who fails more than one paper in a re-examination may be required to repeat part or the whole of the course.

(6) In the event of failure in an oral examination—

(a) A candidate may be re-examined not less than 3 weeks after the first attempt:

(b) Where the examiner is satisfied that the extent of the candidate's failure indicates a lack of knowledge of matters that relate to safety of life or ships at sea, the candidate shall not be accepted

for re-examination until completion of such further period of qualifying service, not exceeding 6 months, as the examiner may require.

(7) A candidate who fails to attend at the appointed time and place for an examination, shall be regarded as having failed unless the candidate produces a medical certificate or other evidence of the candidate's inability to attend.

**39. Examination results**—(1) Every candidate shall be advised in writing of the results of his or her examination as soon as possible after the examination.

(2) Confirmation of the satisfactory completion of the course, course work marks, examination marks and results shall be sent in writing to the Chief Examiner as soon as possible after the examination.

**40. Passes, partial passes, and failures**—(1) A candidate who passes all parts of the required examination within the time allowed and who complies with all the ancillary requirements shall be granted the relevant certificate.

(2) A "Chief Examiners Authority" shall only be issued to candidates referred to in subclause (1) of this regulation who are leaving New Zealand or returning to sea before the certificate is prepared.

(3) A candidate who passes part only of the examination shall be notified of the result in writing. The partial pass gained shall be valid from the date of notification.

(4) A candidate who fails the examination and incurs a penalty shall be notified of the penalty in writing.

## PART VIII

### COURSE AND EXAMINATION SUBJECTS AND EXEMPTION

**41. Marine engineer unit 1 course and examination**—(1) The marine engineer unit 1 course and examination shall consist of the following subjects:

Subjects	Assessment
Communication skills	Course work is 40 percent of total marks available and final examination is 60 percent of total marks available (3-hour papers)
Mathematics	
Mechanical technology	
Thermodynamics	
Engineering drawing	Final examination (4-hour paper)

(2) For the subjects assessed on course work and final examination, a pass in a subject shall be granted if an aggregate of 60 percent of both course work and final examination marks are attained and at least 50 percent of the marks available for course work and 50 percent of the marks available for final examination are attained.

(3) The pass mark for the subject of engineering drawing shall be 60 percent.

(4) A candidate who is granted a partial pass in a subject shall not be required to resit that subject at any subsequent examination.

(5) The first and any subsequent examination attempt shall include all subjects unless a partial pass has been granted previously.

(6) A candidate may attend the course and attempt the examinations at any time after completion of the initial training.

**42. Marine engineer unit 2 course and examination**—(1) The marine engineer unit 2 course and examination shall consist of the following subjects:

Subjects	Assessment
Naval architecture Electrotechnology	Course work is 40 percent of total marks available and final examination is 60 percent of total marks available (3-hour papers)

(2) A pass in a subject shall be granted if an aggregate of 60 percent of both coursework and final examination marks are attained and at least 50 percent of the marks available for coursework and 50 percent of the marks available for final examination are attained.

(3) A candidate who is granted a partial pass in a subject shall not be required to resit that subject at any subsequent examination.

(4) A candidate may attend the course and attempt the examinations at any time after completing initial training.

**43. Engineer of local ship**—(1) The marine engineer local ship course and examination shall consist of the following subjects:

Subjects	Assessment
Engineering knowledge (general) Engineering knowledge (steam or motor)	Final examination (2½-hour papers)

Oral examination

(2) The pass mark for each subject shall be 60 percent.

(3) A candidate who obtains a pass in the subject of engineering knowledge (general) or engineering knowledge (steam or motor) shall be granted a partial pass.

(4) The period of validity for the subjects of engineering knowledge (general) or engineering knowledge (steam or motor) shall be 24 months.

(5) A candidate shall only attempt the oral examination after obtaining a pass in the written examinations.

(6) A candidate who has completed satisfactorily the Shipping Industry Training Board course and examinations for engine room ratings (stage 3) or integrated ratings (retrainees or new entrants) shall be exempt from the requirement to—

(a) Attend the engineer local ship (motor) course; and

(b) Take the engineering knowledge (general) and engineering knowledge (motor) examinations.

**44. Marine engineer watchkeeper**—(1) The marine engineer watchkeeper course and examination shall consist of the following subjects:

Subjects	Assessment
Engineering knowledge (general)	Final examination (2½-hour papers)
Engineering knowledge steam or motor (power plant and control systems)	
Oral examination (steam or motor)	

(2) The pass mark of each subject shall be 60 percent.

(3) A candidate who holds the appropriate certificate as marine engineer class 3 or any equivalent certificate acceptable to the Chief Examiner shall be required to sit the oral examination only.

(4) A candidate who obtains a pass in the subject of engineering knowledge (general) or engineering knowledge steam or motor (power plant and control systems) shall be granted a partial pass.

(5) The period of validity for the subjects of engineering knowledge (general) or engineering knowledge steam or motor (power plant and control systems) shall be 24 months.

(6) A candidate shall only attempt the oral examination after obtaining a pass in the written examinations.

**45. Marine engineer class 2**—(1) The marine engineer class 2 course and examination shall consist of the following subjects:

Subjects	Assessment
Control systems	Course work is 40 percent of total marks available and final examination is 60 percent of total marks available (3-hour papers)
Engineering knowledge (general)	Final examination (3-hour papers)
Engineering knowledge (steam or motor)	
Oral examination	

(2) A pass in the subject of control systems shall be granted if an aggregate of 60 percent of both course work and final examination marks are attained and at least 50 percent of the marks available for course work and 50 percent of the marks available for final examination are attained.

(3) The pass mark for the subjects of engineering knowledge (general), engineering knowledge (steam or motor) and oral examination shall be 60 percent.



(4) A candidate who obtains a pass in the subject of control systems, engineering knowledge (general) or engineering knowledge (steam or motor) shall be granted a partial pass.

(5) The period of validity shall be—

(a) In the case of control systems, an indefinite period:

(b) In the case of engineering knowledge (general), engineering knowledge (steam or motor), or oral, 24 months.

(6) A candidate shall only attempt the oral examination after obtaining a pass in the engineering knowledge (general) and engineering knowledge (steam or motor) examinations.

**46. Marine engineer class 2 with chief engineer endorsement—**

(1) The marine engineer class 2 with chief engineer endorsement examination shall consist of an oral examination only, based on the responsibilities and duties of a chief engineer officers of ships with steam or motor propelling machinery, or both, as the case may require.

(2) The pass mark for the oral examination shall be 60 percent.

**47. Marine engineer class 1—**(1) The marine engineer unit 4 course and examination shall consist of the following subjects:

Subjects	Assessment
Control systems	Course work is 40 percent of total marks available and final examination is 60 percent of total marks available (3-hour papers)
Engineering knowledge (general)	Final examination (3-hour papers)
Engineering knowledge (steam or motor)	
Oral examination	

(2) A pass in the subject of control systems will be granted if an aggregate of 60 percent of both course work and final examination marks are attained and at least 50 percent of the marks available for course work and 50 percent of the marks available for final examination are attained.

(3) The pass mark for the subjects of engineering knowledge (general), engineering knowledge (steam or motor) and the oral examination shall be 60 percent.

(4) A candidate who obtains a pass in the subject of control systems, engineering knowledge (general), engineering knowledge (steam or motor), or oral shall be granted a partial pass.

(5) The period of validity shall be,—

(a) In the case of control systems, an indefinite period:

(b) In the case of engineering knowledge (general), engineering knowledge (steam or motor), or oral, 24 months.

(6) A candidate shall only attempt the oral examination after obtaining a pass in the engineering knowledge (general) and engineering knowledge (steam or motor) examinations.

**48. Exemptions**—(1) Subject to regulation 49 of these regulations, an exemption from any subject (except engineering knowledge and oral) prescribed by any of the provisions of this part of these regulations may be granted to a candidate who has been granted a pass or partial pass in, or an exemption from an examination conducted in New Zealand or by an overseas authority if the Chief Examiner is satisfied that the pass, partial pass, or exemption is at least equivalent to a subject or subjects in an examination conducted under these regulations.

(2) An exemption from any subject granted under subclause (1) of this regulation shall have the same period of validity as that subject and the period of validity shall commence on the date on which the exempting qualification was gained.

**49. Recognition of passes or exemptions obtained before commencement of these regulations**—A pass or partial pass in, or an exemption from, a subject or subjects granted before the commencement of these regulations in New Zealand or by an overseas equivalent to a subject or subjects in an examination conducted under these regulations shall be recognised as valid for the same period as that subject or subjects and the period of validity shall commence on the date on which the exempting qualification was gained.

**50. Revocation**—The Marine Engineers (Examination) Regulations 1986 (S.R. 1986/105) are hereby consequentially revoked.

---

SCHEDULE

Reg. 5

IMO ENDORSEMENT OF CERTIFICATE OF COMPETENCY

[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 .....

[Seal] Signed

..... Secretary for Transport

Date of birth of the holder of the certificate .....

Signature of the 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 Marine Engineers (Examination) Regulations 1986 (S.R. 1986/105).

In particular, the regulations do not carry forward the certificate of marine engineer class 3 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.