



THE SHIPPING (MUSTERS AND TRAINING) REGULATIONS 1989

THOMAS EICHELBAUM
Administrator of the Government

ORDER IN COUNCIL

At Wellington this 2nd day of October 1989

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL
PURSUANT to sections 291 and 504 of the Shipping and Seamen Act 1952,
His Excellency the Administrator of the Government, acting by and with
the advice and consent of the Executive Council, hereby makes the
following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Application 4. Classification of ships 5. Emergency instructions 6. Muster list | <ol style="list-style-type: none"> 7. Instructions 8. General emergency alarm signal 9. Practice musters and drills 10. Crew training and instruction 11. Entries to be made in log 12. Revocation |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Shipping (Musters and Training) Regulations 1989.

(2) These regulations shall come into force on the 1st day of November 1989.

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

“Length” means register length:

“Muster” includes a boat drill and any emergency drill.

3. Application—(1) Except as provided in subclause (2) of this regulation, these regulations shall apply to the following ships:

- (a) New Zealand ships:
- (b) Coastal ships:
- (c) Other ships while they are within any port in New Zealand.
- (2) Nothing in these regulations shall apply to—
 - (a) Any ship within any port in New Zealand, if it is there only by reason of stress of weather or some other circumstance beyond the control of the owner and the master of the ship; or
 - (b) Pleasure vessels.

4. Classification of ships—For the purposes of these regulations, ships shall be arranged in the following classes:

- (a) Passenger ships:
 - Class I:* passenger ships engaged on international voyages:
 - Class II:* passenger ships engaged in the coastal trade that have or require a certificate of survey as a coastal trade passenger ship:
 - Class III:* passenger ships engaged in the coastal trade plying only on daylight excursions, being ships that have or require a certificate of survey as a coastal trade passenger ship engaged on daylight excursions:
 - Class IV:* passenger ships not plying beyond extended river limits, being ships that have or require a certificate of survey as a ship plying within restricted limits:
 - Class V:* passenger ships plying only within river limits or on lakes or rivers, being ships that have or require a certificate of survey as a ship plying within restricted limits:
 - Class VI:* passenger ships not plying beyond extreme limits, being ships that have or require a certificate of survey as a ship plying within restricted limits:
- (b) Non-passenger ships:
 - Class VII:* ships engaged on international voyages (not being ships of Class I or Class VIIA or Class X):
 - Class VIIA:* ships engaged as factory ships in the whaling, fish processing, or canning industries:
 - Class VIII:* ships engaged in the coastal trade (not being ships of any other class):
 - Class IX:* ships that do not proceed beyond restricted limits (not being passenger ships or ships of Class X):
 - Class X:* fishing vessels.

5. Emergency instructions—The master shall ensure that clear instructions to be followed in the event of an emergency shall be provided for every person on board.

6. Muster list—(1) The master of every ship of any of Classes I, II, III, VII, VIIA, and VIII, and of every ship of Class VI of 45 metres in length or over, and of every ship of Class X of 45 metres in length or over that is a deep sea fishing vessel, shall prepare and maintain a muster list complying with subclauses (2) to (6) of this regulation.

- (2) The muster list shall specify—
 - (a) The general emergency alarm signal; and

- (b) The action to be taken by crew and passengers when the general emergency alarm signal is sounded; and
 - (c) How the order to abandon ship will be given; and
 - (d) The other emergency signals and action to be taken by the crew on hearing such signals; and
 - (e) In the case of ships of Class I or Class II or Class III, or ships of Class VI of 45 metres in length or over, the location of passenger muster stations.
- (3) The muster list shall show the duties assigned to the different members of the crew, including—
- (a) Closing the watertight doors, fire doors, valves, scuppers, side-scuttles, skylights, portholes, and other similar openings in the ship; and
 - (b) Equipping the survival craft and other lifesaving appliances; and
 - (c) Preparing and launching survival craft; and
 - (d) The general preparations of other lifesaving appliances; and
 - (e) Mustering passengers (if any); and
 - (f) Using communication equipment; and
 - (g) Manning the fire parties assigned to deal with fires; and
 - (h) The special duties assigned in respect of the use of fire-fighting equipment and installations.
- (4) The muster list shall show the duties assigned to members of the crew in relation to passengers in case of emergency, including—
- (a) Warning the passengers; and
 - (b) Ensuring the passengers are suitably clad and have donned their lifejackets correctly; and
 - (c) Assembling passengers at muster stations; and
 - (d) Keeping order in the passageways and on the stairways, and generally controlling the movements of the passengers; and
 - (e) Ensuring a supply of blankets (where carried) is taken to the survival craft.
- (5) The muster list shall specify which officers are assigned to ensure that lifesaving and fire appliances are maintained in good condition and are ready for immediate use.
- (6) The muster list shall specify substitutes for key persons who may become disabled, taking into account that different emergencies may call for different actions.
- (7) The muster list shall be prepared or, if a new list is not necessary, revised after the agreement with the crew has been signed and before the ship proceeds to sea, and shall be dated and signed by the master.
- (8) If, after the muster list has been prepared, any changes necessitate an alteration in the muster list, the master shall either revise the list or prepare a new list.
- (9) Copies of the muster list shall—
- (a) Be exhibited in conspicuous places throughout the ship, including the navigating bridge, engine room, and crew accommodation spaces; and
 - (b) Be posted before the ship proceeds to sea; and
 - (c) Be kept so posted while the ship is at sea.

7. Instructions—(1) In ships of Class I or Class II or Class III, and ships of Class VI that are 45 metres in length or over, illustrations and

instructions in English and such other languages as are appropriate shall be posted in passenger cabins and be conspicuously displayed at muster stations and other passenger spaces to inform passengers of—

- (a) Their muster station; and
- (b) The essential actions they must take in an emergency; and
- (c) The method of donning lifejackets.

(2) In ships of Class IV or Class V, and ships of Class VI that are less than 45 metres in length, illustrations and instructions in English and such other languages as are appropriate shall be conspicuously displayed in all passenger spaces to inform passengers of—

- (a) The essential actions they must take in an emergency; and
- (b) The correct use of lifesaving appliances.

8. General emergency alarm signal—(1) The general emergency alarm signal for summoning passengers and crew to muster stations and initiating the actions included in the muster list shall consist of 7 or more short blasts followed by one long blast on the ship's whistle or siren.

(2) In ships of Class I or Class II, in ships of Class VII or Class VIIA or Class VIII that are of 45 metres in length or over, and in ships of Class X that are deep sea fishing vessels of 45 metres in length or over, such signals shall be supplemented by an electrically operated bell or klaxon or other equivalent warning system.

9. Practice musters and drills—(1) In ships of any of Classes I, II, III, VII, VIIA, and VIII, in ships of Class VI of 45 metres in length or over, and in ships of Class X that are 45 metres in length or over and are deep sea fishing vessels, each member of the crew shall participate in at least 1 abandon ship drill and 1 fire drill every month.

(2) Where more than 25 percent of the crew have not participated in abandon ship and fire drills on board that particular ship in the previous month, as required by subclause (1) of this regulation, a drill shall take place within 24 hours of the ship leaving any port; and where for any reason that is impracticable for any ship other suitable arrangements shall be made.

(3) In ships of any of Classes I, II, and III an abandon ship drill and fire drill shall take place weekly.

(4) In ships of Class I, and in ships of Class VII or Class VIIA carrying passengers,—

- (a) Musters of the passengers shall take place within 24 hours after their embarkation:
- (b) Passengers shall be instructed in the use of the lifejackets and the action to take in an emergency:
- (c) If fewer than 10 percent of the number of passengers the ship is certificated to carry embark at a port after the muster has been held it shall be sufficient, instead of holding another muster, to draw the attention of the passengers to the emergency instructions required by regulation 7 of these regulations.

(5) In ships of Class II or Class III, and, where passengers are carried in ships of Class VIII, the attention of the passengers shall be drawn to the emergency instructions required by regulation 7 of these regulations if a muster of the passengers is not held on departure.

(6) Drills shall, so far as practicable, be conducted as if there were an actual emergency, and each abandon ship drill shall include, whenever possible,—

- (a) Summoning passengers and crew to muster stations, with the emergency alarm signal prescribed in regulation 8 of these regulations; and
 - (b) Ensuring the passengers are made aware of how the order to abandon ship as specified in the muster list will be given; and
 - (c) Reporting to stations and preparing for the duties described in the muster list; and
 - (d) Checking that passengers and crew are suitably dressed; and
 - (e) Checking that lifejackets are correctly donned; and
 - (f) The lowering of at least 1 lifeboat after any necessary preparation for launching, provided that, so far as practicable, different lifeboats shall be lowered at successive drills; and
 - (g) Starting and operating each lifeboat engine; and
 - (h) The operation of davits used for launching liferafts.
- (7) Each lifeboat shall be launched with its assigned operating crew aboard and manoeuvred in the water at least once every 3 months during an abandon ship drill, but where because of its berthing arrangements or trading patterns a ship cannot launch the lifeboats from one side of the ship within the required 3 months it need not do so, so long as all such lifeboats on that side shall each be lowered at least once every 3 months and launched at least annually.
- (8) Where carried, rescue boats other than lifeboats which are also rescue boats shall, as far as is reasonable and practicable, be launched each month with their assigned crew aboard and manoeuvred in the water, and in all cases this requirement shall be complied with at least once every 3 months.
- (9) If lifeboat and rescue boat launching drills are carried out with the ship making headway, such drills shall, because of the dangers involved, be practised in sheltered waters only and under the supervision of an officer experienced in such drills.
- (10) Nothing in paragraphs (f) and (h) of subclause (6) or in subclause (7) of this regulation shall apply to free fall launched lifeboats.
- (11) Free fall launched lifeboats shall be launched with their assigned crew aboard and manoeuvred in the water at least once in every period of 6 months, and drills in boarding such lifeboats and in the use of safety harnesses shall be carried out at monthly intervals.
- (12) Emergency lighting provided for muster and embarkation stations and for the launching of survival craft shall be tested at each abandon ship drill.

10. Crew training and instruction—(1) Crew members who are required by these regulations to undertake regular musters and drills shall receive on board training in the use of the ship's lifesaving appliances, including survival craft equipment.

(2) Such training shall be given as soon as possible but not later than 2 weeks after the crew member commences work aboard the ship.

(3) Instructions in the use of the lifesaving appliances and in survival at sea shall be given at the same interval as the drills.

(4) Individual instruction may cover different parts of the ship's lifesaving system, but all the ship's lifesaving equipment and appliances shall be covered within any period of 2 months.

(5) Each member of the crew shall be given instructions in—

- (a) The operation and use of the ship's inflatable liferafts; and

- (b) The problems of hypothermia, first aid treatment of hypothermia, and other appropriate first aid procedures; and
- (c) Special instructions necessary for use of the ship's lifesaving appliances in severe weather and severe sea conditions.
- (6) On board training in the use of davit launched liferafts shall take place at intervals of not more than 4 months on every ship fitted with such appliances, and, whenever practicable, this shall include the inflation and lowering of a liferaft.
- (7) A special liferaft intended for training purposes only may be used for the purposes of subclause (6) of this regulation, if it is conspicuously marked for such purposes.
- (8) In every ship of Class IV or Class V or Class IX, and in ships of Class VI of less than 45 metres in length, and in ships of Class X except deep sea fishing vessels of 45 metres in length or over,—
 - (a) The master shall ensure that the crew are trained in the use of all lifesaving and fire appliances and equipment with which the vessel is provided, and shall ensure that all members of the crew know where the equipment is stowed; and
 - (b) Where such ships carry one or more lifeboats, Class C boats or rescue boats, training shall include the swinging out and lowering of such craft at regular intervals, and, if such craft are equipped with an engine, the operation of that engine.

11. Entries to be made in log—(1) The master shall make such entries in the official log as are required by section 291 (1) (d) of the Shipping and Seamen Act 1952, or shall record reasons why musters and drills were not carried out as required.

(2) In ships not required to keep an official log, the master shall make a record of each muster, drill, and training session held, and shall retain the record on board for a period of not less than 12 months.

12. Revocation—The Shipping Musters Rules 1968* are hereby revoked.

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 on 1 November 1989, replace the Shipping Musters Rules 1968. The regulations provide for the assignment of duties to be performed by members of the crew in case of an emergency, training in those duties, and emergency signals. The regulations also include such provisions as are necessary to implement the provisions of the International Convention for the Safety of Life at Sea 1974 relating to musters.

The principal changes in these regulations are—

- (a) Muster lists are required to be kept for deep sea fishing vessels of 45m or more in length;
- (b) Provision is made for drills associated with free fall launched lifeboats and direct launched liferafts;
- (c) Crew training must include instructions in procedures in cases of hypothermia and the use of lifesaving appliances in severe conditions.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 October 1989.

These regulations are administered in the Ministry of Transport.