

Serial Number 1947/94



THE SHIPS COMPASSES REGULATIONS 1947

PURSUANT to section 201 of the Shipping and Seamen Act, 1908, and all other powers and authorities me in this behalf enabling, I, James O'Brien, the Minister of Marine, do hereby make the following regulations.

REGULATIONS

PART I.—PRELIMINARY

1. These regulations may be cited as the Ships Compasses Regulations 1947.

2. These regulations shall come into force on the 18th day of June, 1947.

3. (1) In these regulations, unless inconsistent with the context,—

“The said Act” means the Shipping and Seamen Act, 1908 :

“Adjuster” means a Compass Adjuster licensed under these regulations :

“Compass certificate” means the Inspector's certificate prescribed in Regulation 23 :

“Compass declaration” means the declaration prescribed in Regulation 20 :

“Deviation-table” means the deviation-table prescribed in Regulation 20, and includes the certificate required to be appended thereto :

“Inspector” means a Marine Inspector appointed under the authority of section 18 of the said Act :

“Surveyor” means a Surveyor of Ships appointed under the authority of section 15 of the said Act.

(2) Unless a contrary intention appears, expressions used herein have the meanings assigned to them by the said Act.

4. These regulations shall apply to—

(a) Foreign-going ships in respect of which a certificate of survey issued under section 174 of the said Act is for the time being in force :

(b) Home-trade ships.

5. The Minister may, if he thinks justifiable in the circumstances, and on the recommendation of a Surveyor or Inspector, by notice in writing under his hand delivered to the master or owner of a

wooden sailing-ship free from magnetic substances near the compass, exempt the ship from all or any of the requirements of these regulations, and any such exemption may on a like recommendation and by a like notice be at any time modified or withdrawn.

6. The regulations set out in the table subjoined to this regulation are revoked.

Table of Revoked Regulations

Date of Warrant.	Published in <i>Gazette</i>	
	Year.	Page.
14th March, 1906	1906	802
23rd April, 1909	1909	1187
31st January, 1921	1921	376

7. All licences, certificates, and generally all acts of authority and all documents, matters, acts, and things and all periods of time which originated or had effect under the regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

PART II.—COMPASSES REQUIRED

8. Except as hereinafter provided, every ship to which these regulations apply shall be equipped with a standard compass placed in a suitable position and furnished with appliances for taking accurate observations and bearings of terrestrial and celestial objects and with proper means for making the necessary adjustments.

9. Nevertheless, in the case of a home-trade ship not being a home-trade passenger-ship and not exceeding 100 tons register, the steering compass may be accepted as a standard compass if bearings can thereby be taken over an arc of the horizon from ahead to four points abaft the beam on both sides of the vessel or if the vessel is fitted with an efficient pelorus suitably placed.

10. (1) Every foreign-going ship employed in carrying passengers shall, in addition to the standard compass, be equipped with at least two good compasses in or on binnacles.

(2) It shall be sufficient compliance with this regulation if one but not both of the last-mentioned compasses be a gyro-compass.

11. (1) Except as hereinafter provided, every foreign-going ship not employed in carrying passengers and every home-trade ship shall, in addition to the standard compass, be equipped with at least one good compass in or on a binnacle.

(2) It shall be sufficient compliance with this regulation if the last-mentioned compass be a gyro-compass.

12. Nevertheless, in the case of a home-trade ship not being a home-trade passenger-ship and not exceeding 100 tons register, it shall be sufficient compliance with the last preceding regulation if the additional compass be capable of being fitted in the binnacle provided for the standard compass or for the compass accepted as a standard compass.

13. In the case of a home-trade ship authorized to ply within river limits only—

- (a) It shall be a sufficient compliance with the foregoing requirements of these regulations if such ship is provided with an efficient compass :
- (b) The Minister may, by writing under his hand, exempt any such ship from all or any of the requirements of these regulations to which such ship would otherwise be subject :
- (c) Any such exemption may at any time be withdrawn by writing under the hand of the Minister delivered to the owner or master of the ship.

PART III.—ADJUSTMENT OF COMPASSES

14. Before a certificate of survey is issued in respect of a new ship its compasses shall be examined and, if necessary, repaired, and at least two of them shall be adjusted.

15. Before a ship, other than a new ship and other than a home-trade ship authorized to ply within river limits only or extended river limits only, proceeds to sea from any port its compasses shall be examined and, if necessary, repaired, and at least two of them shall be adjusted by an Adjuster in any of the cases following, namely—

- (a) If the ship has been laid up for three months :
- (b) If the ship has been laid up for annual survey :
- (c) If the ship has undergone repairs or alterations of such a nature as in the opinion of a Surveyor or Inspector to be likely to affect the accuracy of the compasses or any of them :
- (d) If the ship has not hitherto proceeded to sea from any port in New Zealand :
- (e) If the compasses of the ship are, in the opinion of a Surveyor or Inspector, unsatisfactory or unreliable.

16. In the case of a ship that has been laid up for annual survey or has not hitherto proceeded to sea from any port in New Zealand and which is not included in any of the other cases set out in the last preceding regulation, it shall be unnecessary to comply with the last preceding regulation—

- (a) If the ship has been swung and its compasses have been adjusted if necessary and the deviations determined by the master and recorded as required by these regulations, the whole of the said operations being carried out within fourteen days before its arrival in the port and within such proximity to New Zealand that in the opinion of an Inspector the adjustment will remain stable ; and
- (b) If the master holds a certificate as master of a foreign-going ship or has passed one of the examinations referred to in paragraphs (b) and (c) of Regulation 30 hereof and it is intended that he shall retain command of the ship when she proceeds to sea as aforesaid ; and
- (c) In the case of a ship that has been laid up for annual survey, if the terms of the last preceding regulation have been complied with at a time not more than four years before the ship so proceeds to sea.

17. The compasses of a home-trade ship authorized to ply within river limits only or extended river limits only shall be adjusted by an Adjuster within a reasonable time after notice in writing has been given by an Inspector to the owner or master of the ship that he considers an adjustment to be necessary.

18. Upon any occasion on which the compasses of a ship are required to be adjusted for the purposes of these regulations, the adjustment shall be carried out at sea or in harbour at the discretion of the master, but subject in either case to the approval of an Inspector of the place of adjustment.

19. The adjustment of compasses for the purposes of these regulations shall include the taking of terrestrial or celestial bearings or the use of a deflector approved by an Inspector.

20. An Adjuster or master carrying out any adjustment of compasses for the purposes of these regulations (including the adjustment described in Regulation 16) shall, as soon as possible after completing the adjustment, prepare and sign and deliver to an Inspector in respect of all the ship's compasses a declaration in the form numbered 1 in the Schedule hereto, and in respect of the standard compass or compass accepted as a standard compass two copies of a deviation-table and certificate in the form numbered 2 in the Schedule hereto setting out the particulars indicated in the said form :

Provided, first, that if the adjustment is carried out by an Adjuster and at a port where an Inspector is not available, then the Adjuster shall deliver one copy of the deviation-table to the owner, master, or agent of the ship and shall deliver the compass declaration and the other copy of the deviation-table to the local Surveyor :

Provided, secondly, that if the adjustment is carried out by the master of the ship and at a port where an Inspector is not available or carried out at sea and the next port of call is a port where an Inspector is not available, then the master shall retain one copy of the deviation-table and deliver the compass declaration and the other copy of the deviation-table to the local Surveyor.

21. A Surveyor to whom is delivered any document pursuant to the last preceding regulation shall, if the ship is proceeding to a port in New Zealand where an Inspector is stationed, forthwith forward the same to the Superintendent of Mercantile Marine at that port to enable any necessary inspection to be made, and shall in any other case forthwith forward the same to the Secretary.

22. Upon receipt by an Inspector of a compass declaration the Inspector shall forthwith inspect the compasses to which the certificate relates and their adjustments and the appliances with which they are furnished, together with the compass-error register-book and the deviation-table, and shall, as far as practicable, verify the information supplied by the Adjuster.

23. If satisfied with his inspection the Inspector shall sign and deliver to the master of the ship a compass certificate in the form numbered 3 in the Schedule hereto and shall sign or stamp the documents inspected by him and forward to the Secretary the compass declaration, a copy of the compass certificate, and one copy of the deviation-table, and if not so satisfied shall make to the Secretary such special report as in his opinion the case requires.

24. A compass certificate produced to him shall be sufficient authority for a Surveyor making a declaration of survey under section 172 of the said Act to state, pursuant to paragraph (f) of subsection (3) of the said section, that the compasses are in such condition as are required by the said Act.

25. Except in special cases and with the written approval of an Inspector, a standard compass or compass accepted as a standard compass shall not be deemed to have been adjusted within the meaning of these regulations if after adjustment the deviation thereof exceeds 5 degrees on any direction of the ship's head.

26. The master of every ship to which these regulations apply shall, in respect of the standard compass or compass accepted as a standard compass, keep a compass-error register-book substantially in the form numbered 4 in the Schedule hereto, and forthwith after any observations have been made by him or under his direction calculated to indicate errors of that compass shall enter therein the particulars indicated in the said form and also from time to time particulars of the positions of the magnets and soft-iron correctors of the compass and a record of any changes in respect of the magnets and soft-iron correctors and the position thereof respectively made at any adjustment.

27. The compass-error register-book shall be produced to an Inspector after every adjustment or alteration of correctors made during the currency of the ship's certificate of survey and shall be produced at any time to an Inspector requiring production thereof.

28. Observations to indicate errors of the compass to which the compass-error register-book relates shall be made by the master as frequently as may be practicable and reasonably necessary.

PART IV.—LICENSED ADJUSTERS

29. Every person seeking a licence as an Adjuster shall make application in writing to the Secretary and produce the certificate of competency on which he relies and satisfactory evidence of good character during the twelve months immediately preceding the date of the application and tender a sum of £1 to be applied as the licence fee if the licence is granted and to be returned to the applicant if the application is refused.

30. A licence shall not be granted to any person unless he is the holder of—

- (a) A certificate of competency as extra master of a foreign-going ship ; or
- (b) A certificate of competency on which is endorsed the passing of Part I of the examination for an extra master's certificate ; or
- (c) A certificate of competency not lower than as mate—namely, first mate—of a home-trade ship on which is endorsed the passing of the voluntary examination in compass deviation :

Provided that the foregoing references to certificates and examinations shall be deemed to be references to the certificates and examinations provided for by the rules for the examination of masters and mates for the time being in force under the said Act.

31. A licence shall be in the form numbered 5 in the Schedule hereto.

32. Every person to whom a licence is granted shall produce it whenever required so to do by a Superintendent of Mercantile Marine, Inspector, or Surveyor of Ships, or by any master, owner, or agent proposing to employ such person in the adjustment of ship's compasses.

33. On surrender of any licence that has become mutilated or illegible or on proof of the loss or destruction of any licence and on payment (in either case) of a fee of 5s., the Secretary may issue to a licensee a licence enfaced with the words "Substituted for lost (or damaged, or destroyed) licence," and such substituted licence shall be available and sufficient for all purposes to the same extent as the original licence.

34. The Minister may at any time, by notice in writing to a licensee, immediately suspend his licence, and whilst such notice remains in force the licence shall have no effect for the purposes of these regulations.

35. The Minister may at any time, by notice in writing to a licensee, call on him to show cause why his licence should not be revoked for reasons to be stated in the notice, and after a reasonable time has elapsed to enable the licensee to show cause and after considering any submissions or evidence offered by the licensee the Minister may, by notice in writing to the licensee, revoke the licence, and the licensee shall forthwith surrender the licence to the Minister or such officer of the Marine Department as the Minister may specify.

36. If it appears to the Minister that at any port an Adjuster licensed under the regulations is not regularly available, the Minister may appoint any person whom he considers competent to discharge and exercise all the duties and functions of an Adjuster as may be specified in the warrant of appointment, and an adjustment carried out by such person within the restrictions, if any, so specified shall be deemed to have been carried out by an Adjuster, and such person shall, in respect of the adjustment, be subject to the obligations imposed on Adjusters by these regulations and be entitled to take the fees hereinafter prescribed.

37. For adjustment of the standard compass or compass accepted as a standard compass of any ship the Adjuster shall be entitled to take a fee according to the following table :—

Table of Fees

Gross Registered Tonnage.	Fee.
Not exceeding 1,000	£ s. d. 3 3 0
Exceeding 1,000 but not exceeding 2,000	4 4 0
Exceeding 2,000 but not exceeding 3,000	5 5 0
Exceeding 3,000 but not exceeding 4,000	6 6 0
Exceeding 4,000	7 7 0
And for adjustment of every additional compass adjusted on the same occasion, an additional fee of £1 1s.	..

Form No. 3

COMPASS CERTIFICATE

I, [Full name], hereby certify that I have this day inspected the compass(es), the compass-error register-book, the table of deviations (*delete where necessary*), and the adjustment of the standard compass (*or* the compass accepted as a standard compass) of the steel (wooden) ship ".....", Official No., and am of the opinion that the said compass(es) with the appliances for taking bearings and the general good order, condition, and position of the said compass(es) satisfactorily comply with the Ships Compasses Regulations 1946.

Date of adjustment:.....

Place of adjustment:.....

Dated at, this day of, 19...

Signature :.....

Inspector.

Form No. 4

COMPASS-ERROR REGISTER-BOOK

Date.	Year.	Time.	Ship's Hd.	Latitude.	Longitude.	Obs. Azim.	True Azim.	Error.	Variation.	Deviation.	Heel.	Remarks.

Form No. 5

LICENCE AS A COMPASS ADJUSTER

[Full name], of [Place of business], is hereby licensed as an Adjuster of Compasses pursuant to regulations made under section 201 of the Shipping and Seamen Act, 1908.

Dated at Wellington, this day of, 19...

Signature :.....

Secretary to the Marine Department.

NOTE.—The holder of this licence must produce it whenever required so to do by a Superintendent of Mercantile Marine, Inspector, or Surveyor of Ships, or by any master, owner, or agent proposing to employ the holder.

Dated at Wellington, this 16th day of June, 1947.

JAS. O'BRIEN,
Minister of Marine.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 19th day of June, 1947.

These regulations are administered in the Marine Department.