



**THE SHIPPING (MANNING OF FISHING BOATS)  
REGULATIONS 1986**

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PAUL REEVES, Governor-General

**ORDER IN COUNCIL**

At Wellington this 9th day of June 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 17, 55, and 504 of the Shipping and Seamen Act 1952, His Excellency the Governor-General, acting on the recommendation of the Minister of Transport made after consideration by the Minister of a report on the proposed regulations by the Marine Council, and by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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ANALYSIS

1. Title and commencement
2. Interpretation
3. Application

4. Manning
5. Alternative certificates
6. Saving Schedules

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Shipping (Manning of Fishing Boats) Regulations 1986.

(2) These regulations shall come into force on the 1st day of August 1986.

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

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

“Approved bridge control” means such control mechanism and instrumentation located adjacent to the helmsman’s main steering position as is sufficient in the opinion of a Surveyor of Ships for the safe operation and effective control of the main propulsion machinery:

“Certificate” means a certificate of competency or a certificate of service issued by the Secretary in accordance with the Act; and includes any qualification recognised in New Zealand by the Shipping (Recognition of Certificates of Competency) Order 1975\* as equivalent to any such certificate:

“Crew member” means a bona fide member of the crew who is over the age of 15 years and is engaged in the business of the boat, being a member who is remunerated for his or her services and has contributed no other consideration for his or her carriage:

“Overall length”, in relation to any fishing boat, means the length of the boat measured from the fore side of the head of the stem to the extreme after end of the boat:

“Qualified fishing deckhand” means a person who is the holder of a certificate as qualified fishing deckhand issued under the Act.

**3. Application**—These regulations shall apply to every New Zealand fishing boat other than any fishing boat that—

- (a) Is propelled solely by oars or by sail; or
- (b) Does not exceed 6 metres in overall length.

**4. Manning**—(1) The owner of every fishing boat to which these regulations apply shall ensure that the boat carries a duly certificated master or master-engineer, and such crew, as is specified in the scale set out in the First Schedule to these regulations.

(2) Nothing in subclause (1) of this regulation shall prevent the carriage of additional crew members, provided the total number of persons carried does not exceed the number for whom accommodation is provided and lifesaving appliances are carried.

**5. Alternative certificates**—The certificates specified in the second column of the Second Schedule to these regulations shall be accepted as alternatives to the appropriate certificates specified in the first column of that Schedule.

**6. Saving**—Notwithstanding anything in these regulations, any person who, by virtue of being the holder of any certificate of competency, certificate of service, licence, or endorsement of any such certificate or licence, was, immediately before the commencement of these regulations, entitled under the Act to serve in a particular capacity on a fishing boat to which these regulations apply, shall continue to be entitled so to serve as if these regulations had not been made.

## SCHEDULES

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## FIRST SCHEDULE

## MANNING SCALE

## PART I

*Deep-Sea Fishing Boats*

Register Length (in metres)	Master or Master/Engineer	Mate	Other Crew Members	Minimum Complement
60 m and over	Skipper of deep-sea fishing boat	2 mates of deep-sea fishing boat	7, of whom 1 shall hold a certificate as first-class diesel trawler engineer, 1 shall hold a certificate as second-class diesel trawler engineer, and 3 shall be qualified fishing deckhands	10
40 m and under 60 m	Skipper of deep-sea fishing boat	Mate of deep-sea fishing boat	4, of whom 1 shall hold a certificate as first-class diesel trawler engineer and 2 shall be qualified fishing deckhands	6
27.5 m and under 40 m	Skipper of deep-sea fishing boat/first-class diesel trawler engineer*	Mate of deep-sea fishing boat	3, of whom 2 shall be qualified fishing deckhands	5
21 m and under 27.5 m	Skipper of deep-sea fishing boat/first-class diesel trawler engineer*	Mate of deep-sea fishing boat	2, of whom 1 shall be a qualified fishing deckhand	4
Under 21 m and over 6 m	Skipper of deep-sea fishing boat/†first-class diesel trawler engineer†	Mate of deep-sea fishing boat	2, of whom 1 shall be a qualified fishing deckhand	4

## NOTES

\*In any fishing boat not provided with approved bridge control or in any case where the master does not hold the appropriate engineer certificate specified, the mate or one of the other crew members shall hold the appropriate engineer qualification.

†Second-class diesel trawler engineer for fishing boats voyaging between New Zealand and the Chatham Islands.

## FIRST SCHEDULE—continued

## PART II

*Coastal Fishing Boats*

Register Length (in metres)	Master or Master/Engineer	Other Crew Members	Minimum Complement
40 m and over	New Zealand coastal master	4, of whom 1 shall hold a certificate as first-class diesel trawler engineer and 2 shall be qualified fishing deckhands	5
27.5 m and under 40 m	New Zealand coastal master/first-class diesel trawler engineer*	3, of whom 1 shall be a qualified fishing deckhand	4
21 m and under 27.5 m	New Zealand coastal master/second-class diesel trawler engineer*	2, of whom 1 shall be a qualified fishing deckhand	3
16.75 m and under 21 m	New Zealand coastal master/second-class diesel trawler engineer*	1 qualified fishing deckhand	2
12 m and under 16.75 m	New Zealand coastal master/second-class diesel trawler engineer*	1	2
Under 12 m and over 6 m	New Zealand coastal master/second-class diesel trawler engineer*	..	1*

\*NOTE—On any fishing boat not provided with approved bridge control or in any case where the master does not hold the appropriate engineer certificate specified, another crew member shall hold the appropriate engineer qualification.

## PART III

*Inshore Fishing Boats*

Register Length (in metres)	Master or Master/Engineer	Other Crew Members	Minimum Complement
12 m and under 15.24 m	Commercial launchmaster	1	2
Under 12 m and over 6 m	Commercial launchmaster	..	1*

\*NOTE—On any fishing boat not provided with approved bridge control, an additional crew member shall be carried.

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## SECOND SCHEDULE

## ALTERNATIVE CERTIFICATES

In this Schedule, "engineering qualification" means any of the following qualifications, being a qualification of a kind (steam *or* motor) appropriate to the fishing boat's propulsion system:

- (a) An endorsement to act as commercial launchmaster:
- (b) A certificate as second-class diesel trawler engineer, or any certificate specified in this Schedule as an alternative to such a certificate:
- (c) A certificate as marine engine driver:
- (d) A certificate as engineer of restricted-limit motor ship.

Certificate Required Under These Regulations	Alternative Certificate
Skipper of deep-sea fishing boat ..	<ul style="list-style-type: none"> <li>(a) Master of foreign-going ship</li> <li>(b) First mate of foreign-going ship</li> <li>(c) Master of foreign-going fishing boat</li> </ul>
Mate of deep-sea fishing boat .. ..	<ul style="list-style-type: none"> <li>(a) Skipper of deep-sea fishing boat</li> <li>(b) Any certificate specified in this Schedule as an alternative to a certificate as skipper of deep-sea fishing boat</li> <li>(c) Second mate of foreign-going ship</li> <li>(d) Watchkeeper of foreign-going ship</li> <li>(e) Master of home-trade ship</li> <li>(f) Mate of home-trade ship</li> <li>(g) First mate of home-trade ship</li> <li>(h) Skipper of home-trade fishing boat</li> <li>(i) Master of fishing boat</li> <li>(j) Skipper of coastal fishing boat endorsed to act as mate of deep-sea fishing boat</li> </ul>
New Zealand coastal master .. ..	<ul style="list-style-type: none"> <li>(a) Mate of deep-sea fishing boat</li> <li>(b) Any certificate specified in this Schedule as an alternative to a certificate as mate of deep-sea fishing boat</li> <li>(c) Skipper of coastal fishing boat</li> <li>(d) Master of small home-trade ship</li> <li>(e) Local launchman's licence, issued before 1 June 1973, but only in respect of— <ul style="list-style-type: none"> <li>(i) The vessel and area for which the licence is endorsed; and</li> <li>(ii) A vessel less than 15.24 metres register length proceeding not more than 25 miles from the port of domicile specified on the boat fishing permit relating to that vessel</li> </ul> </li> <li>(f) Master of restricted-limit launch, issued before 1 June 1973, and in respect only of a vessel less than 15.24 metres length proceeding not more than 25 miles from the port of domicile specified on the boat fishing permit relating to that vessel</li> </ul>

SECOND SCHEDULE—*continued*  
ALTERNATIVE CERTIFICATES—*continued*

Certificate Required Under These Regulations	Alternative Certificate
Commercial launchmaster . .	(a) New Zealand coastal master, with engineering qualification (b) Any certificate specified in this Schedule as an alternative to a certificate as New Zealand coastal master, if the holder of that certificate also holds an engineering qualification (and subject to any conditions specified) (c) Inshore fishing skipper, in respect only of vessel and area endorsed on certificate (d) Master of river ship, with engineering qualification
First-class diesel trawler engineer* . .	(a) Marine engineer class 1 (b) Marine engineer class 2 with chief engineer endorsement (c) Marine engineer class 2 (d) First-class steam or motor engineer (e) First-class coastal motor engineer (f) Second-class steam or motor engineer
Second-class diesel trawler engineer* . .	(a) First-class diesel trawler engineer (b) Any certificate specified in this Schedule as an alternative to a certificate as first-class diesel trawler engineer (c) Marine engineer watchkeeper (d) Marine engineer class 3 (e) Engineer of local ship (f) Second-class coastal motor engineer (g) Third-class steam engineer (h) Engineer of local motor ship (i) River engineer

\*NOTE—The alternative certificate must be of a type (steam or motor) appropriate to the ship's propulsion system.

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

## EXPLANATORY NOTE

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

These regulations, which come into force on 1 August 1986, replace the Shipping (Manning of Fishing Boats) Notice 1973 and its amendments. The regulations specify manning levels for fishing boats by reference to the new certificates of competency provided for in the Masters and Mates (Foreign-Going and Home-Trade) Examination Regulations 1985, the Masters and Mates (Coastal, Fishing, and Pleasure Boats) Examination Regulations 1986, and the Marine Engineers (Examination) Regulations 1986.

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Issued under the authority of the Regulations Act 1936.  
Date of notification in *Gazette*: 12 June 1986.  
These regulations are administered in the Ministry of Transport.