

1989/289



THE SHIPPING (RADIO) 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 236, 504, and 505A 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

PART I

GENERAL PROVISIONS

1. Title and commencement
2. Interpretation
3. Application
4. Classification of ships
5. Performance standards
6. Provision of radio installations
7. Harmful interference with reception and with other installations
8. Testing of equipment
9. Charging of batteries
10. Spare parts, tools, and testing equipment
11. Serviceability and maintenance of radio installation

PART II

RADIOTELEGRAPHY

12. Radiotelegraph station
13. Radiotelegraph operating room
14. Provision of antennae
15. Range of radiotelegraph transmitters
16. Supply of electrical energy
17. Documents
18. Radio officers
19. Qualification of radio officers
20. Radio watch
21. Radiotelegraph log

PART III

VHF RADIOTELEPHONY

Ships of Class A or Class B or Class C

22. Application of regulations 23 to 27
23. VHF radiotelephone station
24. Provision of antennae
25. Supply of electrical energy
26. Radiotelephone operators using VHF radiotelephone installation
27. Radio watch

Inshore Fishing Boats of Class D, and Ships of Class E or Class F

28. Application of regulations 29 to 35
29. VHF radiotelephone station
30. Provision of antennae
31. Range
32. Supply of electrical energy
33. Provision and qualification of VHF radio operators
34. Radio watch
35. Documents

PART IV

RADIOTELEPHONY

36. Radiotelephone station
37. Provision of antennae
38. Range
39. Supply of electrical energy
40. Provision and qualification of radiotelephone operators

41. Radio watch
42. Radiotelephone log
43. Documents

PART V

ADDITIONAL QUALIFICATIONS REQUIRED FOR RADIO OFFICERS AND RADIOTELEPHONE OPERATORS OF SEA-GOING SHIPS

44. Additional knowledge and training requirements
45. Certificate of proficiency
46. Certificates of medical fitness
47. Superintendent may require production of certificate of medical fitness

PART VI

RADIO EQUIPMENT FOR LIFEBOATS AND SURVIVAL CRAFT

48. Radio equipment for lifeboats and survival craft

PART VII

TRANSITIONAL PROVISION, RESPONSIBILITIES, OFFENCES, AND PENALTIES

49. Transitional provision
50. Responsibility of owner
51. Responsibility of master
52. Exemptions
53. Offences and penalties
54. Revocations

REGULATIONS

PART I

GENERAL PROVISIONS

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

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

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

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

“Approved” means approved by the Director:

“Connected” means electrically connected so as to give normal operating efficiency to the circuits or parts concerned:

“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 purposes of these regulations:

“Emergency position-indicating radio beacon” means a station in the mobile service the emissions of which are intended to facilitate search and rescue operations:

“Existing installation” means—

(a) An installation wholly installed before the commencement of these regulations; or

(b) An installation, part of which was installed before the commencement of these regulations and the rest of which consists either of parts installed in replacement of identical parts, or parts that comply with the relevant requirements of these regulations:

“Existing ship” means a ship that is not a new ship:

“Freeboard deck” has the same meaning as in the Load Line Rules 1970*:

“Harmful interference” means any emission, radiation, or induction that endangers the functioning of a radio-navigation service or of other safety services, or seriously degrades, obstructs, or repeatedly interrupts a radio-communication service operating in accordance with these regulations:

“Length” means register length:

“Maintenance” means any activity intended to keep a radio installation in satisfactory working condition and includes tests, measurements, replacements, adjustments, and repair:

“New installation” means any installation that is not an existing installation:

“New ship” means a ship whose keel is laid, or in respect of which a similar stage of construction is reached, on or after the commencement of these regulations; and for the purposes of this definition, “similar stage of construction” means the stage at which construction identifiable with the ship comprises at least 50 tonnes or 1 percent of the estimated mass of the structural material of the completed ship, whichever is the lesser:

“New Zealand standard time” means the time corresponding to the longitude 180°E of prime meridian being 12 hours in advance of co-ordinated universal time:

“Operating position” in relation to any equipment, means the position normally occupied by a person when operating that equipment:

“Organisation” means the International Maritime Organisation:

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

“Radio certificate” in relation to radiotelegraphy, means the qualifications referred to in subclauses (1) and (2) of regulation 19 of these regulations, and, in relation to radiotelephony, means the qualifications referred to in regulation 40 of these regulations:

“Radio equipment” includes the main and reserve radiotelegraph transmitters, main and reserve radiotelegraph receivers, automatic alarm keying devices, radiotelephone auto-alarms, radiotelegraph auto-alarms, VHF radiotelephones, main and reserve radiotelephones, radiotelephones for the transmission and reception of the radiotelephone distress frequency, radiotelephone alarm signal generating devices, radiotelephone distress frequency watch receivers, lifeboat fixed radiotelegraph transmitters and receivers, portable transmitters and receivers for survival craft, survival craft emergency position-indicating

radio beacons, two-way portable radiotelephones for survival craft, and all other appurtenances associated with or attached to any such equipment:

“Radio installation” means any radio installation provided on board a ship in compliance with these regulations, including its associated antennae, inter-connecting circuits and, where appropriate, sources of electrical energy:

“Radio officer” means a person who—

(a) Holds a valid—

(i) Maritime Radiocommunication General Certificate; or
 (ii) First Class Radiotelegraph Operator Certificate or Second Class Radiotelegraph Operator Certificate issued under the Radio Regulations 1987*:

(iii) Foreign Radio Operator Certificate recognised under the Radio Regulations 1987 as being equivalent to any certificate referred to in subparagraphs (i) and (ii) of this paragraph; and

(b) Is employed in the radiotelegraph station ship to which these regulations apply:

“Radiotelephone operator” means a person holding a valid radiotelephone operator certificate issued or recognised under the Radio Regulations 1987*:

“Radiotelegraph ship” means a ship that is provided with a radiotelegraph installation as its main radio installation:

“Radiotelephone ship” means a ship that is provided with a radiotelephone installation as its main radio installation:

“Radio watch”, in relation to a radiotelegraph ship, means listening on the international distress frequencies of 500 kHz and 2182 kHz, and, in relation to a radiotelephone ship, means listening on the international distress frequency of 2182 kHz, and, in relation to a VHF radiotelephone installation, means listening on the international distress frequency of 156.8 MHz:

“Silence period”, in relation to radiotelegraphy, means a period of 3 minutes commencing at 15 minutes and 45 minutes past each hour, and, in relation to radiotelephony, means a period of 3 minutes commencing at each hour and 30 minutes past each hour; and in each case the period shall be determined according to co-ordinated universal time.

(2) Nothing in these regulations shall prevent a ship or survival craft in distress from using any means at its disposal to attract attention, make known its position, or obtain help.

3. Application—Subject to section 195 of the Act, these regulations shall apply to the following ships:

- (a) New Zealand ships:
- (b) Coastal ships:
- (c) Other ships within any port in New Zealand.

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

- (a) *Class A*: Sea-going ships certified to carry more than 250 passengers, and at sea for more than 16 hours between consecutive ports:

- (b) *Class B*:
 - (i) Sea-going ships certified to carry more than 250 passengers, and at sea for 16 hours or less between consecutive ports:
 - (ii) Sea-going passenger ships certified to carry up to 250 passengers:
 - (iii) Foreign-going cargo ships of 1600 gross tonnage or more:
 - (iv) Fishing vessels of 75 metres in length or over that proceed beyond the territorial sea of New Zealand:
- (c) *Class C*:
 - (i) Foreign-going cargo ships of less than 1600 gross tonnage:
 - (ii) Cargo ships of 300 gross tonnage or more and employed as coastal ships:
 - (iii) Fishing vessels of 24 metres in length or over, other than fishing vessels of Class B (iv):
- (d) *Class D*:
 - (i) Cargo ships of less than 300 gross tonnage and employed as coastal ships:
 - (ii) Fishing vessels of less than 24 metres in length:
- (e) *Class E*: Restricted limit ships certified for voyages beyond extended river limits:
- (f) *Class F*:
 - (i) Restricted limit ships engaged in voyages beyond river limits but not beyond extended river limits:
 - (ii) Restricted limit passenger ships certified for voyages within river limits.

5. Performance standards—Ships of any class to which these regulations apply, and the radio equipment used in them, shall comply with such performance standards as may from time to time—

- (a) Be prescribed for the purposes of these regulations by the Minister by notice in the *Gazette*; or
- (b) Be issued by the International Maritime Organisation and endorsed for the purposes of these regulations by the Minister by notice in the *Gazette*.

6. Provision of radio installations—(1) Every ship of Class A or Class B shall be provided with a radiotelegraph installation consisting of—

- (a) A main installation comprising a main transmitter, main receiver, radiotelegraph automatic alarm signal keying device, radiotelephone distress frequency watch receiver or radiotelephone auto-alarm, radiotelephone equipment for the transmission and reception of the radiotelephone distress frequency, radiotelephone alarm signal generating device, and, when the ship is manned in accordance with regulation 18 (1) of these regulations, a radiotelegraph auto-alarm; and
 - (b) A reserve installation comprising a reserve radiotelegraph transmitter and a reserve receiver; and
 - (c) A VHF radiotelephone installation comprising a transmitter and a receiver.
- (2) Every ship of Class C shall, subject to subclause (5) of this regulation, be provided with—
- (a) Either—

- (i) A radiotelegraph installation comprising the radio equipment specified in subclause (1) of this regulation; or
 - (ii) A radiotelephone installation comprising a transmitter, receiver, radiotelephone distress frequency watch receiver or a radiotelephone auto-alarm, and a radiotelephone alarm signal generating device; and
- (b) A VHF radiotelephone installation comprising a transmitter and a receiver.
- (3) Every ship of Class D or Class E shall, subject to subclause (5) of this regulation, be provided with the radio equipment specified in paragraph (a) (ii) or paragraph (b) of subclause (2) of this regulation.
- (4) Every ship of Class F shall, subject to subclause (5) of this regulation, be provided with—
- (a) A radiotelephone installation comprising a transmitter and a receiver; or
 - (b) The radio equipment specified in subclause (2) (b) of this regulation.
- (5) Subclauses (2), (3), and (4) of this regulation are subject to the following exceptions:
- (a) Ships of Class C (iii) that operate as coastal fishing vessels and are fitted with the radio equipment specified in subclause (2) (a) (ii) of this regulation are not required to comply with the other requirements of that subclause:
 - (b) Ships of Class D (ii) that operate as inshore fishing vessels and are fitted with the radio equipment specified in paragraph (a) or paragraph (b) of subclause (4) of this regulation are not required to comply with subclause (3) of this regulation:
 - (c) Ships of Class D or Class E are not required to be fitted with a radio telephone distress frequency watch receiver or radiotelephone auto-alarm if a continuous watch in accordance with regulation 41 is maintained on the ship's main radiotelephone receiver:
 - (d) Existing ships of Class D (ii) are not required to be fitted with a radiotelephone alarm signal generating device so long as a new radio telephone installation is not fitted in the ship:
 - (e) A VHF radiotelephone installation may be fitted in any ship of Class E or Class F or in an inshore fishing boat of Class D if, in the normal course of its operations, the ship remains within range of a VHF station that is keeping radio watch of ships in the vicinity:
 - (f) Any radiotelephone equipment that is used in association with radiotelegraph equipment on a ship and complies with the radiotelephone requirement of subclause (1) of this regulation may be fitted in any ship to which these regulations apply.

7. Harmful interference with reception and with other installations—(1) Radio installations required by these regulations shall not be operated in a manner that causes any harmful interference to the efficient operation of any navigational or safety equipment installed on the ship.

(2) Radio installations required by these regulations shall be operated in a manner that prevents any harmful interference to the effective reception of radio signals.

(3) Where it is impracticable to erect efficient and properly installed antennae for broadcast receivers and the efficiency of the radio installation is not affected, a communal antenna system for broadcast receivers shall be provided on the ship.

8. Testing of equipment—(1) In every ship to which these regulations apply, a radio officer (in the case of a radiotelegraph ship) or a radiotelephone operator (in the case of a radiotelephone ship) shall, while at sea, carry out the equipment tests and battery and reserve power checks specified in the First Schedule to these regulations.

(2) If any of the radio equipment required by these regulations is not in working order, the radio officer or radiotelephone operator, as the case may be, shall report that fact to the master, and record the details in the appropriate radio log.

9. Charging of batteries—(1) If batteries are provided on board any ship to which these regulations apply, as a source of electrical energy for any part of the equipment required by these regulations, means shall be provided for the charging of such batteries from the ship's main source of electrical energy and for assessing the charge condition.

(2) Subject to subclause (3) of this regulation, the charging facilities shall be sufficient to ensure that all the batteries can be fully charged within a period of not more than 16 hours.

(3) Where more than 1 battery is provided and each has sufficient capacity to comply with regulation 16 (1) or regulation 39 (1) of these regulations, as the case may be, the charging facilities shall be sufficient to ensure that each battery can be fully charged within a period of 16 hours, but it shall not be necessary for all batteries to be charged simultaneously.

(4) The batteries shall, where practicable, be fully charged on every occasion on which the ship proceeds on a voyage.

(5) When the ship is at sea—

(a) The batteries forming part of a main and reserve radiotelegraph installation, or a radiotelephone installation, shall be brought up to the normal fully-charged condition daily; and

(b) The batteries forming part of a fixed radio equipment for lifeboats or portable radio equipment for survival craft, if of a type that requires charging, shall be brought up to the normal fully-charged condition weekly; and

(c) The batteries forming part of the two-way radiotelephone apparatus for survival craft, if of a type that requires charging, shall be brought up to the normal fully-charged condition whenever necessary and at least at intervals not exceeding 1 week.

10. Spare parts, tools, and testing equipment—(1) Except as provided in subclause (2) of this regulation, every radiotelegraph ship, and every radiotelephone ship of Class C, shall be provided with spare parts, tools, and testing equipment appropriate to the ship to enable the radio installation to be maintained in an efficient working condition while at sea.

(2) Nothing in this regulation shall apply to coastal fishing vessels.

11. Serviceability and maintenance of radio installation—(1) Every radio installation shall be in a satisfactory working condition whenever the ship proceeds on a voyage and every endeavour shall be made to maintain it in a satisfactory working condition at all times while the ship is at sea.

(2) All equipment comprising each radio installation shall be firmly secured, be protected against the harmful effects of water and extremes of

temperature, and be readily accessible for immediate use and for maintenance and repair purposes.

(3) On New Zealand ships, adequate information and instructions in English as to the use and maintenance of each piece of equipment comprising a radio installation shall be provided, and shall be available for use when the radio installation is being operated, tested, or serviced.

(4) Where additional radiotelegraph or radiotelephone or other radio equipment, that is not required by these regulations, is provided on board a ship, it shall be inspected at the same time as the inspection of the radio installation required by these regulations, to determine that it is in satisfactory order and that it complies with the requirements of regulation 7 of these regulations.

(5) In all New Zealand ships to which these regulations apply, there shall be available on board—

- (a) A rigging plan of the fitted antennae showing—
 - (i) The elevation and plan view of the antennae and, on radiotelegraph ships, their disposition on the ship in relation to the radiotelegraph operating room; and
 - (ii) The dimensions of transmitting antennae; and
 - (iii) The vertical distance from the ship's designed loadline to the base of each transmitting antenna; and
- (b) Complete information on the wiring of the radio installation, except existing installations on radiotelephone ships, showing all cable interconnections and terminations.

PART II

RADIOTELEGRAPHY

12. Radiotelegraph station—(1) Every radiotelegraph ship shall be provided with a radiotelegraph operating room.

(2) The sleeping accommodation of at least 1 radio officer shall be situated as near as practicable to the radiotelegraph operating room.

(3) The main and reserve radiotelegraph equipment provided on board a radiotelegraph ship shall be electrically separate and electrically independent of each other.

13. Radiotelegraph operating room—(1) Every radiotelegraph operating room shall—

- (a) Be in such a position that no interference from extraneous mechanical or other noise will impair the proper reception of radio signals; and
 - (b) Be placed as high in the ship as is practicable; and
 - (c) Be of sufficient size and have sufficient ventilation to enable both the main and reserve radiotelegraph installations to be operated efficiently from the room; and
 - (d) Be used for purposes associated with the functions or duties of the radio officer and no other purposes.
- (2) Every radiotelegraph operating room shall be provided with—
- (a) A reliable clock that—
 - (i) Has a face marked to indicate the silence periods; and
 - (ii) Has a dial of not less than 125 mm in diameter; and
 - (iii) Has a concentric seconds hand; and
 - (iv) Is securely mounted in such a position that the entire dial can be easily and accurately observed by the radio officer from

- the radiotelegraph operating position and from the position for testing the radiotelegraph auto-alarm equipment; and
- (b) An efficient two-way system for calling and voice communication with any place from which the ship is normally navigated, which system shall be independent of any other communication system on the ship and independent of the ship's main source of electrical energy; and
 - (c) A reliable emergency light that—
 - (i) Consists of an electric lamp operated from the ship's reserve source of electrical energy; and
 - (ii) Is permanently arranged so as to provide satisfactory illumination of the operating controls of the main and reserve radiotelegraph installations and of the clock required by paragraph (a) of this subclause; and
 - (iii) Is controlled by two-way switches placed near the main entrance to the radiotelegraph operating position, which switches shall be clearly labelled to indicate their purpose; and
 - (d) An electric inspection lamp with a flexible lead of sufficient length to enable all parts of the radiotelegraph installation to be easily seen, to be operated from the ship's reserve source of electrical energy; and
 - (e) A serviceable torch; and
 - (f) A chair capable of being fixed at the radiotelegraph operating position.
- (3) If a radiotelegraph station has no direct access to the open deck, 2 means of escape from or access to such station shall be provided, one of which may be a porthole or window of sufficient size or another means satisfactory to a surveyor of ships.
- (4) If a separate emergency radiotelegraph operating room is provided, it shall comply with the requirements of subclause (2) of this regulation.

14. Provision of antennae—(1) Every radiotelegraph ship shall be provided and fitted with suitable transmitting and receiving antennae and insulators.

(2) Where wire antennae are suspended between supports liable to whipping they shall be protected against breakage.

(3) A main transmitting antenna and a reserve transmitting antenna shall be fitted.

(4) Every radiotelegraph ship shall also be provided with sufficient antenna wire, insulators, and other means necessary to enable a suitable emergency transmitting antenna to be erected.

(5) The main transmitting antenna and the reserve transmitting antenna shall, where practicable, be so rigged that damage to one will not affect the efficiency of the other.

(6) Means shall be provided for quickly connecting—

(a) The main transmitting antenna and the reserve transmitter; and

(b) The main and reserve receivers to any antenna with which they may need to be used.

(7) A suitable antenna shall be provided for and connected to the radiotelegraph distress frequency watch receiver or the radiotelephone auto-alarm.

15. Range of radiotelegraph transmitters—(1) The main and reserve transmitters shall, when connected to the main antenna, have a minimum range as specified in the following table:

	Range in Miles	
	Minimum Normal Main Transmitter	Reserve Transmitter
All passenger ships, all cargo ships having a gross tonnage of 1600 or over, and all fishing vessels of 75 metres in length or over:	150	100
Cargo ships of less than 1600 gross tonnage, and fishing vessels of 45 metres or over but less than 75 metres in length:	100	75
Fishing vessels of less than 45 metres in length:	50	50

(2) Each transmitter shall be capable of transmitting clearly perceptible signals from ship to ship by day and under normal conditions and circumstances over the ranges specified in the table set out in subclause (1) of this regulation.

16. Supply of electrical energy—(1) While a radiotelegraph ship is at sea and at all reasonable times when it is in port, there shall be available a supply of electrical energy sufficient—

- (a) To operate the main installation over the normal range specified in regulation 15 (1) of these regulations for that ship; and
- (b) To charge any batteries forming part of the radiotelegraph installation.

(2) The reserve installation shall be provided with a source of energy independent of the propelling power of the ship and of the ship's main electrical system.

(3) Means for bringing the reserve source of energy into immediate operation shall be provided and shall be capable of being illuminated by the emergency light required by regulation 13 (2) (c) of these regulations.

(4) The reserve source of energy—

- (a) Shall, where possible, consist of rechargeable batteries, but such batteries shall not be fitted in the same space as the means for bringing the reserve source of energy into immediate operation; and
- (b) Shall, under all circumstances, be capable of being put into operation rapidly; and
- (c) Shall be of such capacity and be maintained at all times when at sea in such condition as to be able to supply continuously for at least 6 hours a total current equal to the sum of—
 - (i) One-half of the reserve transmitter current consumption with the key down (mark); and
 - (ii) One-half of the reserve transmitter current consumption with the key up (space); and
 - (iii) The current required to operate the reserve receiver; and
 - (iv) The current consumption of the additional circuits connected to the reserve source of energy specified in subclause (5) or subclause (6) of this regulation; and

(d) Shall be placed as high in the ship as is practicable and be readily accessible from the radiotelegraph operating room.

(5) The reserve source of energy shall be used to supply the reserve installation and the automatic alarm signal keying device if it is electrically operated and, subject to the provisions of subclause (6) of this regulation, the reserve source of energy shall be used only to supply the following equipment:

(a) The radiotelegraph auto alarm:

(b) The emergency light specified in regulation 13 (2) (c) of these regulations:

(c) The direction-finder:

(d) The VHF installation:

(e) The device for generating the radiotelephone alarm signal by automatic means.

(6) Notwithstanding subclause (5) of this regulation, in cargo ships and fishing vessels the reserve source of energy may be used to provide energy for low-power emergency circuits that are wholly confined to the upper part of the ship, if—

(a) Such circuits are adequately fused and can be readily disconnected; and

(b) The source of energy is of sufficient capacity to carry the additional load.

17. Documents—(1) Except as provided in subclause (2) of this regulation, in addition to carrying the radiotelegraph log required by regulation 21 of these regulations, every radiotelegraph ship shall carry all of the following documents:

(a) A ship station licence:

(b) Certificates of radio officers:

(c) An alphabetical list of call signs of stations used in the Maritime Mobile Service:

(d) A list of coast stations:

(e) A list of ship stations:

(f) A list of radio determination and special service stations:

(g) An International Telecommunications Union Manual for use in the Maritime Mobile and the Maritime Mobile Satellite Services:

(h) Tariffs of the countries for which the station most frequently accepts public correspondence.

(2) Ships of Class C (ii) and coastal fishing vessels of Class C (iii) are not required to carry the documents specified in paragraphs (f) and (h) of subclause (1) of this regulation.

18. Radio officers—(1) Every radiotelegraph ship provided with a radiotelegraph auto-alarm shall, when proceeding on a voyage, be provided with radio officers as follows:

(a) Class A—2 radio officers:

(b) Class B or Class C—1 radio officer.

(2) Every radiotelegraph ship not provided with a radiotelegraph auto-alarm shall, when proceeding on a voyage, be provided with radio officers as follows:

(a) Three radio officers if at sea for more than 48 hours between consecutive ports:

- (b) Two radio officers if at sea for more than 12 hours but not more than 48 hours between consecutive ports:
- (c) One radio officer if at sea for not more than 12 hours between consecutive ports.
- (3) The chief radio officer on board a New Zealand radiotelegraph ship of Class A or Class B or Class C shall have had experience at sea as a radio officer for a total of not less than—
 - (a) Two years in the case of ships of Class A:
 - (b) One year in the case of ships of Class B (i):
 - (c) Six months in the case of ships of Class B (ii):
 - (d) Three months in the case of ships of Class B (iii) or Class B (iv) or Class C.

19. Qualification of radio officers—(1) For the purposes of these regulations, no person shall be qualified to be a radio officer on board a New Zealand radiotelegraph ship unless that person holds—

- (a) A valid certificate of competency issued by the Secretary for Commerce of a grade not less than that specified in subclause (2) of this regulation, and, if a radiotelegraph operator on a radiotelegraph ship of Class A or Class B or Class C, the certificates required by regulations 45 and 46 of these regulations; or
- (b) A valid certificate issued by another country of and recognised by the Secretary of Commerce as the equivalent of such certificates granted by the Secretary, and if a radiotelegraph operator on a radiotelegraph ship of Class A or Class B or Class C, the certificates required by regulations 45 and 46 of these regulations.
- (2) The minimum grade of certificates referred to in subclause (1) of this regulation shall be as follows:

Classes A and B—Second Class Radiotelegraph Operator's Certificate, except that, in the case of a New Zealand radiotelegraph passenger ship, one at least of the radio officers on board the ship shall hold a First Class Radiotelegraph Operator's Certificate or a Maritime Radio-communication Operator's General Certificate:

Class C—Second-class Radiotelegraph Operator's Certificate.

(3) For the purposes of subclause (1) of this regulation, no certificate shall be deemed to be valid on any date if it was granted more than 2 years before that date, and either—

- (a) The holder's period or aggregate of periods of experience on that date is less than 3 months; or
- (b) The holder last had experience at a time earlier than 2 years before that date, unless the holder can satisfy the Secretary of Commerce by re-examination or otherwise that the holder still possesses all the qualifications described in the holder's certificate and that the holder's experience with modern equipment is adequate.

(4) For the purposes of subclause (3) of this regulation, the term "experience" means experience at sea as a radio officer or experience as an operator of radiotelegraphy apparatus at a radiotelegraph coast radio station operating in the Maritime Mobile Service.

20. Radio watch—(1) Except as provided in subclause (2) of this regulation, ships fitted with a radiotelegraph installation shall, while at sea, maintain continuous watch on—

- (a) The radiotelegraph distress frequency by means of a radio officer using headphones or a loudspeaker; and
- (b) The radiotelephone distress frequency by means of a radio officer using headphones or a loudspeaker; or
- (c) The radiotelephone distress frequency, at the place on board from which the ship is normally navigated by use of a radiotelephone distress frequency watch receiver, using a loud speaker, a filtered loudspeaker, or a radiotelephone auto-alarm.

(2) If the ship is equipped with a radiotelegraph auto-alarm which, when activated by a radiotelegraph alarm signal, causes an audible warning to be given in the radiotelegraph operating room, in the radio officer's sleeping accommodation, and at the place from which the ship is normally navigated, the watch on the radiotelegraph distress frequency may be maintained by the radiotelegraph auto-alarm—

- (a) At all times, except during the radio officer's working hours specified in subclause (3) of this regulation; and
- (b) On any occasion during the working hours specified in subclause (3) of this regulation when the radio officer is performing other duties in accordance with the provisions of subclause (4) of this regulation, if it is impracticable to listen by headphones or a loudspeaker, but during the silence periods the listening watch on the frequency of 500 kHz shall always be maintained during working hours by a radio officer using headphones or loudspeaker.

(3) Every radiotelegraph ship shall, while at sea, maintain the following working hours for ship stations:

- (a) First category—Ships not provided with a radiotelegraph auto-alarm shall maintain a continuous service:
- (b) Second category—Passenger ships of Class A provided with a radiotelegraph auto-alarm shall maintain a service for 16 hours a day:
- (c) Third category—All other radiotelegraphy ships provided with a radiotelegraph auto-alarm shall maintain a service for 8 hours a day.

(4) Every radiotelegraph ship of the second category or the third category shall maintain the working hours of service when carrying out their daily radio watch as set out in the Second Schedule to these regulations.

(5) During the period when a radio officer is required by these regulations to listen on the radiotelegraph distress frequency, the radio officer may discontinue such listening while handling traffic on other frequencies, or performing other essential radio duties, but only if it is impracticable to listen by split headphones or loudspeaker.

(6) For the purposes of subclause (5) of this regulation, the term "essential radio duties" includes the repair of—

- (a) Equipment for radiocommunication used for safety; and
- (b) Radio navigational equipment by order of the master.

(7) Notwithstanding subclause (5) of this regulation, on ships carrying only 1 radio officer the radio officer may, subject to subclause (8) of this regulation, when it is impractical to listen by split headphones or

loudspeaker, discontinue listening by order of the master in order to carry out urgent repairs or maintenance to prevent imminent malfunction of—

- (a) Equipment for radiocommunication used for safety; or
 - (b) Radio navigational equipment; or
 - (c) Other electronic navigational equipment.
- (8) Such repairs shall not be carried out unless—
- (a) The radio officer is qualified to perform them; and
 - (b) The listening watch is always maintained by a radio officer using headphones or a loudspeaker during silence periods.
- (9) A radiotelegraph auto-alarm (if fitted) shall, while a ship is at sea, be in operation whenever there is no listening watch being kept on the radiotelegraph distress frequency by a radio officer using headphones or a loudspeaker, and whenever practicable during direction finding operations.

21. Radiotelegraph log—(1) A radiotelegraph log book shall be kept in the radiotelegraph operating room on board every New Zealand radiotelegraph ship.

(2) Every radio officer on board such a ship shall, when on duty, enter in the radiotelegraph log the information required by the Third Schedule to these regulations to be set out in Part II of the log.

(3) The radio officer, or if there is more than 1, the chief radio officer, shall each day inspect and sign the radio log for that day, confirming that the requirements of these regulations have been met.

(4) The master of the ship shall also inspect and sign the daily entries in the radiotelegraph log.

(5) Section 179 of the Shipping and Seamen Act 1952 (which provides for the delivery of the official logbook to the Superintendent) shall apply to the radio log as it applies to the official logbook.

(6) Subject to the provisions of the Third Schedule to these regulations, the radiotelegraph log required by this regulation shall be in the prescribed form.

PART III

VHF RADIOTELEPHONY

Ships of Class A or Class B or Class C

22. Application of regulations 23 to 27—Regulations 23 to 27 of these regulations shall apply only to ships of Class A or Class B or Class C.

23. VHF radiotelephone station—(1) A VHF radiotelephone installation shall be installed in the upper part of every ship.

(2) Control of the channels required for navigational safety shall be immediately available on the navigating bridge convenient to the conning position and, where necessary, facilities shall be available to permit radiocommunications from the wings of the navigating bridge.

(3) On New Zealand ships, a card of instructions in English giving a clear summary of the distress, urgency, and safety procedures shall be displayed at each VHF radiotelephone operating position.

(4) On radiotelegraph ships, means shall be provided in new installations to enable reception by the VHF radiotelephone installation to be monitored in the radiotelegraph room.

24. Provision of antennae—Ships shall be provided with a vertically polarised unity gain antenna suitable for the efficient radiation and

reception of signals in the band 156–174 MHz; and, so far as is practicable, it shall have an unobstructed view in all directions.

25. Supply of electrical energy—(1) At all times while a ship is at sea and at all reasonable times while it is in port, there shall be available a source of energy sufficient to operate the VHF radiotelephone installation at its nominal rated power output.

(2) If batteries are provided they shall have sufficient capacity and shall be maintained at all times while at sea in such condition as to be able to supply continuously for at least 6 hours a total current equal to the sum of—

- (a) The current consumption of the VHF radiotelephone receiver; and
- (b) One-fifth of the current consumption of the VHF radiotelephone transmitter.

(3) In the case of new installations in New Zealand cargo ships of 300 gross tonnage or more but less than 500 gross tonnage, new and existing installations in all cargo ships of 500 gross tonnage or more and in passenger ships, the VHF radiotelephone installation shall be able to be operated from an alternative source of energy situated in the upper part of the ship unless the source of energy required by subclause (1) of this regulation is situated there.

(4) The source of energy in the upper part of the ship may be the reserve source of energy required by regulation 16 (2) or regulation 39 (2) of these regulations, in which case the VHF usage of such reserve source of energy shall be limited to distress, urgency, and safety communication.

(5) When provision is made for operating the VHF radiotelephone installation from alternative sources of electrical energy, means shall be provided for rapidly changing from one source of energy to the other.

26. Radiotelephone operators using VHF radiotelephone installation—Every radiotelephone operator using the VHF radiotelephone installation shall have practical knowledge of operating such an installation and general knowledge of the requirements applying to VHF radiotelephone communications and specifically of those requirements relating to distress, urgency, and safety signals and traffic.

27. Radio watch—(1) Every ship provided with a VHF radiotelephone installation in accordance with these regulations shall maintain a listening watch on the bridge on 156.8 MHz (VHF Channel 16).

(2) The listening watch on the bridge may be discontinued in any of the following cases:

- (a) When the ship is maintaining a watch on a port operations or a ship movement service frequency;
- (b) When the receiver is being used for traffic on a frequency other than 156.8 MHz (VHF Channel 16);
- (c) When, on the direction of the master, such watch is being maintained elsewhere in the ship;
- (d) When, in the opinion of the master, such watch is prejudicial to the safety of the ship; and in this case an entry shall be made in the ship's log of the time the listening watch was discontinued, the circumstances in which the safety of the ship was prejudiced, and the time when the listening watch was resumed.

(3) On each ship fitted with a VHF installation in accordance with this section, the entries required by these regulations for a radiotelephone ship shall be entered in the radio log.

(4) A summary of all VHF communications relating to distress, and urgency and safety traffic, shall be recorded in the ship's log.

*Inshore Fishing Vessels of Class D,
and Ships of Class E or Class F*

28. Application of regulations 29 to 35—Regulations 29 to 35 of these regulations shall apply only to ships of Class D that are inshore fishing vessels, ships of Class E, and ships of Class F.

29. VHF radiotelephone station—(1) The VHF radiotelephone station shall be installed in the upper part of the ship.

(2) If the VHF installation is fitted in any other place than that from which the ship is normally navigated, an efficient two-way means of communication independent of any other main communication system and of the ship's main source of electrical energy shall be fitted between those places.

(3) A reliable clock, which may be a digital type, shall be securely mounted in such position that the entire dial can be easily and accurately observed by the VHF radiotelephone operator. The clock shall be kept on New Zealand Standard Time or New Zealand Daylight Time as appropriate.

(4) A card of instructions in English giving a clear summary of the VHF radiotelephone distress, urgency, and safety procedures shall be displayed at the VHF radiotelephone operating position.

(5) Ships shall be provided with a reliable emergency electric light that—

(a) Is independent of the system that supplies the normal lighting of the VHF radiotelephone installation; and

(b) Is permanently arranged so as to be capable of providing sufficient illumination of—

(i) The operating controls of the VHF radiotelephone installation; and

(ii) The clock required by subclause (3) of this regulation; and

(iii) The card of instructions required by subclause (4) of this regulation; and

(c) Is controlled by a two-way switch, which shall be clearly labelled to indicate its purpose, placed near an entrance to the room in which the VHF radiotelephone installation is fitted and at the operating position in that room, or, if the installation is fitted at the position from which the ship is usually navigated, placed at that position.

(6) Ships of under 24 metres in length may carry a torch instead of an electric light.

30. Provision of antennae—(1) Ships shall be provided with an antenna suitable for the efficient radiation and reception of signals in the band 156–174 MHz.

(2) The antenna shall be vertically polarised and, so far as practicable, have an unobstructed view in all directions.

31. Range—The range of the VHF radiotelephone installation shall be sufficient to effect reliable communication with one or more coast stations from locations within the ship's plying area.

32. Supply of electrical energy—(1) In every VHF radiotelephone ship there shall be available while the ship is at sea and at all reasonable times while it is in port, a battery situated above the ship's designed loaded waterline, which shall be used to operate the VHF radiotelephone installation.

(2) The VHF radiotelephone installation shall be of sufficient capacity to supply continuously for a period of at least 6 hours a total current equal to—

- (a) The current consumption of the VHF radiotelephone receiver; and
- (b) One-third of the current that may be drawn by the VHF radiotelephone transmitter for speech transmission on the frequency at which the current consumption is maximum; and
- (c) The current consumption of the electric light required by regulation 29 (5) of these regulations.

33. Provision and qualification of VHF radio operators—Every VHF radiotelephone ship shall carry at least 1 radiotelephone operator (who may be the master, an officer, or a member of the crew) holding at least a restricted radiotelephone operator's certificate issued or recognised by the Secretary of Commerce under the Radio Regulations 1987*.

34. Radio watch—(1) Every VHF radiotelephone ship that is fitted with a VHF radiotelephone station in accordance with these regulations, shall, while at sea or on a voyage, maintain a continuous watch on the VHF radiotelephone distress frequency of 156.8 MHz (Channel 16) at the place from which the ship is normally navigated.

(2) The listening watch on the bridge may be discontinued in any of the following cases:

- (a) When the ship is maintaining a watch on a port operations or a ship movement service frequency;
- (b) When the receiver is being used for traffic on a frequency other than 156.8 MHz (VHF Channel 16);
- (c) When, on the direction of the master, such watch is being maintained elsewhere in the ship.

35. Documents—Every VHF radiotelephone ship shall carry the documents required by regulation 43 (b) of these regulations.

PART IV

RADIOTELEPHONY

36. Radiotelephone station—(1) Every radiotelephone station shall be installed in the upper part of the ship.

(2) If the radiotelephone installation is fitted in any place other than that from which the ship is normally navigated, an efficient two-way means of communication independent of any other main communication system and of the ship's main source of electrical energy shall be fitted between those places.

(3) A reliable clock, the face of which shall be marked to indicate the silence periods, shall be securely mounted in such a position that the entire

dial can be easily and accurately observed by the radiotelephone operator. In a ship of Class D or Class E or Class F, a digital clock may be fitted, if kept on New Zealand Standard Time or New Zealand Daylight Time.

(4) On New Zealand ships, a card of instructions in English giving a clear summary of the radiotelephone distress, urgency, and safety procedures shall be displayed at each radiotelephone operating position.

(5) Ships shall be provided with a reliable emergency electric light that—

(a) Is independent of the system that supplies the normal lighting of the VHF radiotelephone installation; and

(b) Is permanently arranged so as to be capable of providing sufficient illumination of—

(i) The operating controls of the VHF radiotelephone installation; and

(ii) The clock required by subclause (3) of this regulation; and

(iii) The card of instructions required by subclause (4) of this regulation; and

(c) Is controlled by a two-way switch, which shall be clearly labelled to indicate its purpose, placed near an entrance to the place at which the VHF radiotelephone installation is fitted and at the operating position in that place, or, if the installation is fitted at the position from which the ship is usually navigated, placed at that position.

(6) Ships under 24 metres in length may carry a torch instead of an electric light.

(7) Means shall be provided at the radiotelephone station to check—

(a) The proper operation of the radiotelephone alarm signal generating device, by ensuring that the device can modulate satisfactorily the radiotelephone transmitter while the transmitter is not radiating signals; and

(b) The muting circuits of the radiotelephone distress frequency watch receiver or the radiotelephone auto-alarm.

37. Provision of antennae—(1) Every radiotelephone ship to which these regulations apply shall be provided and fitted with suitable antennae and insulators.

(2) Where wire antennae are suspended between supports liable to whipping, they shall be protected against breakage.

(3) In addition, every such ship of 24 metres in length or over plying beyond extended river limits shall carry—

(a) Either,—

(i) If the radiotelephone antenna is a supported wire antenna, a spare antenna completely assembled for erection; or

(ii) If the radiotelephone antenna is not a supported wire antenna, a spare antenna of similar electrical characteristics; and

(b) The necessary means to erect the antenna required by paragraph (a) of this subclause.

(4) A suitable antenna shall be provided for and normally connected to the radiotelephone distress frequency watch receiver or the radiotelephone auto-alarm.

38. Range—(1) The minimum normal range of the radiotelephone transmitter provided in accordance with these regulations shall,—

(a) In the case of a ship of Class C (i) or Class C (ii) or Class C (iii), of 45 metres or more in length, be not less than 150 miles:

- (b) In the case of a ship of Class D (i) or Class D (ii), or Class C (iii) of less than 45 metres in length, be not less than 75 miles:
 - (c) In the case of a ship of Class E, be not less than 50 miles:
 - (d) In the case of an inshore fishing vessel of Class C, be not less than 35 miles:
 - (e) In the case of a ship of Class F (i) or Class F (ii), be sufficient to effect reliable communication within the ship's plying limits.
- (2) The range of a radiotelephone transmitter for the purposes of these regulations shall normally be determined by calculation of the metre-amperes.
- (3) Where an antenna arrangement causes difficulties in determining the range of a transmitter by calculation, the range shall be determined by test.

39. Supply of electrical energy—(1) Subject to subclause (6) of this regulation, there shall be available in every radiotelephone ship of Class C or Class D while it is at sea, and at all reasonable times when it is in port, a main source of electrical energy sufficient to operate the radiotelephone installation in accordance with these regulations, and for testing purposes.

(2) If batteries are provided they shall have sufficient capacity to be able to supply continuously for at least 6 hours a total current equal to the sum of—

- (a) The current consumption of the radiotelephone receiver and of the transmitter when it is in a condition that operation of the "press to transmit" switch will make it ready for the immediate transmission of speech; and
- (b) One-third of the current that may be drawn by the radiotelephone transmitter for speech transmission on the frequency at which the current consumption is at a maximum; and
- (c) The current consumption of all additional loads to which the battery may supply energy in times of distress and urgency; and
- (d) Where the source of energy is also used by a VHF radiotelephone installation, the current consumption of the VHF radiotelephone receiver and one-fifth of the current consumption of the VHF radiotelephone transmitter.

(3) Subject to subclause (6) of this regulation, every radiotelephone ship of Class C or Class D shall be provided with a reserve source of electrical energy, except—

- (a) In a Class C ship, if the main source of energy is situated in the upper part of the ship; or
 - (b) In a Class D ship, if the main source of energy is situated above the ship's designed loaded waterline.
- (4) The reserve source of energy (if provided) may only be used to supply—
- (a) The radiotelephone installation; and
 - (b) The emergency light specified in regulation 36 (5) of these regulations; and
 - (c) The device for generating the radiotelephone alarm signal by automatic means; and
 - (d) A VHF installation (if fitted).

(5) Notwithstanding subclause (4) of this regulation, the reserve source of energy (if provided) may be used to supply a direction finder (if fitted) and a number of low power emergency circuits that are wholly confined to the

upper part of the ship, if the additional loads can be readily disconnected and the source of energy is of sufficient capacity to carry them.

(6) Notwithstanding subclauses (1) to (3) of this regulation, in the case of any coastal fishing vessel or any inshore fishing vessel of Class D (ii) it shall be sufficient compliance with the requirements of this regulation if the vessel complies with the requirements of subclause (7) of this regulation.

(7) In every radiotelephone ship of Class E or Class F there shall be available, while it is at sea and at all reasonable times while it is in port, a battery situated above the ship's designed loaded waterline, which shall be used to operate the radiotelephone installation, and shall be of sufficient capacity to supply continuously for a period of 6 hours a total current equal to the sum of the energy specified in paragraphs (a), (b), (c), and (d) of subclause (2) of this regulation.

40. Provision and qualification of radiotelephone operators—

(1) Every radiotelephone ship of Class C shall carry qualified radiotelephone operators (who may include the master, an officer, or a member of the crew) as follows:

(a) Classes C (i) and C (ii):

(i) Ships of 300 gross tonnage or more but less than 500 gross tonnage—1 radiotelephone operator:

(ii) Ships of 500 gross tonnage or more—2 radiotelephone operators:

(b) Class C (iii):

(i) Ships of less than 45 metres in length—1 radiotelephone operator:

(ii) Ships of 45 metres in length or over—2 radiotelephone operators.

(2) If any radiotelephone ship of Class C carries 1 radiotelephone operator exclusively employed for duties related to radiotelephony, a second radiotelephone operator need not be carried.

(3) Every radiotelephone ship of Class D or Class E or Class F shall carry at least 1 qualified radiotelephone operator (who may be the master, an officer, or a member of the crew).

(4) For the purposes of these regulations, no person shall be qualified to be a radiotelephone operator on board a New Zealand radiotelephone ship unless that person holds—

(a) A valid certificate in radiotelegraphy or radiotelephony granted by the Secretary of Commerce and of a grade not lower than any of the certificates specified in subclause (5) of this regulation, and, in the case of a Class C (i) or Class C (ii) or Class D (i) radiotelephone ship, the certificates required by regulations 45 and 46 of these regulations; or

(b) A valid certificate that is granted by an authority empowered in that behalf and is recognised by the Secretary of Commerce as equivalent to a radiotelephone operator's certificate granted by the Secretary, and in the case of a ship of Class C (i) or Class C (ii) or Class D (i), the certificates required by regulations 45 and 46 of these regulations.

(5) The grades of the certificates referred to in subclause (4) (a) of this regulation shall be—

(a) The radiocommunication operator's general certificate:

(b) First or Second Class radiotelegraph operator's certificate:

(c) The radiotelephone operator's general certificate.

(6) A restricted radiotelephone operator's certificate is acceptable in any case where the peak envelope power in the aerial does not exceed 1500 watts, and where the operation of the transmitter requires only the use of simple external switching devices, excluding all manual adjustment of frequency determining elements.

(7) A radiotelegraph operator's special certificate shall, for the purposes of subclause (4) of this regulation, be deemed to be equivalent to a restricted radiotelephone operator's certificate.

41. Radio watch—(1) Every radiotelephone ship to which these regulations apply that is fitted with a radiotelephone station in accordance with these regulations shall, while at sea, maintain a continuous watch on the radiotelephone distress frequency, at the place from which the ship is normally navigated, by use of a radiotelephone distress frequency watch receiver using a loudspeaker or radiotelephone auto-alarm.

(2) Notwithstanding subclause (1) of this regulation, every radiotelephone ship shall maintain a listening watch during silence periods, and also for a period of 10 minutes commencing at the hours of 00, 04, 08, 12, 16, and 20, according to UTC for ships on foreign-going voyages, or to New Zealand standard time, as appropriate for ships trading exclusively on the New Zealand coast.

42. Radiotelephone log—(1) In every radiotelephone ship of Class C, a radiotelephone logbook shall be carried.

(2) The radiotelephone log shall be kept at the place where the listening watch is maintained during the voyage.

(3) Every radiotelephone operator and every master, officer, or crew member shall, when carrying out a listening watch in accordance with regulation 41 of these regulations, enter in the radiotelephone log the information required by the Fourth Schedule to these regulations to be set out in Part II of the log.

(4) In the case of a fishing vessel, the entries need only be those relating to distress, urgency, and safety.

(5) The radiotelephone operator or, if there is more than 1 operator, the operator designated by the master, shall inspect and sign each day the entries in the radiotelephone log for that day, confirming that the requirements of these regulations have been met.

(6) The master of the ship shall inspect and sign the daily entries in the radiotelephone log.

(7) Section 179 of the Shipping and Seamen Act 1952 (which provides for the delivery of the official logbook to the Superintendent) shall apply to the radiotelephone logbook as it applies to the official logbook.

(8) Subject to the provisions of the Fourth Schedule to these regulations, the radiotelephone log required by this regulation shall be in the prescribed form.

43. Documents—In addition to the radiotelephone log required by regulation 42 of these regulations, every radiotelephone ship shall,—

(a) In the case of ships of Class C other than coastal fishing vessels of Class C (iii) and ships of Class D (i), carry—

(i) The ship station licence; and

(ii) The certificates of the radiotelephone operators; and

- (iii) A list of coast stations with which communications are likely to be conducted, showing watchkeeping hours, frequencies, and charges; and
 - (iv) The International Telecommunications Union Manual for use in the Maritime Mobile and Maritime Mobile Satellite Services; and
 - (v) A copy of Marine Notice No. B1 relating to distress and urgency information (issued by the Maritime Transport Division of the Ministry of Transport); and
 - (vi) A copy of the general instructions relating to the small ships radiotelephone service (issued by the Ministry of Commerce); and
 - (vii) A list of radio determination and special services stations:
- (b) In the case of coastal fishing vessels of Class C (iii) and all other radiotelephone ships, carry—
- (i) The ship station licence; and
 - (ii) The certificates of the radiotelephone operators; and
 - (iii) A copy of Marine Notice No. B1 relating to distress and urgency information (issued by the Maritime Transport Division of the Ministry of Transport); and
 - (iv) A copy of the general instructions relating to the small ships radiotelephone service (issued by the Ministry of Commerce).

PART V

ADDITIONAL QUALIFICATIONS REQUIRED FOR RADIO OFFICERS AND RADIOTELEPHONE OPERATORS OF SEA-GOING SHIPS

44. Additional knowledge and training requirements—(1) Every radio officer of a ship of any of Classes A, B (i), B (ii), B (iii), C (i), and C (ii), and every radiotelephone operator of a ship of Class C (i) or Class C (ii) or Class D, who is in charge of or performing radio duties in other than a supernumerary capacity, being a person who has not held a radio certificate before the 1st day of November 1986, shall, in addition to the other requirements of these regulations, have knowledge of, and training in, the following:

- (a) The provision of radio services in emergencies, including abandon ship, fire aboard ship, and partial or full breakdown of the radio installation:
 - (b) The operation of portable and fixed lifeboat and survival craft radio apparatus and emergency position-indicating radio beacons:
 - (c) Preventative measures for the survival of ship and personnel in respect of hazards relating to radio equipment, including electrical, radiation, chemical, and mechanical hazards:
 - (d) The use of the International Maritime Organisation Merchant Ship Search and Rescue Manual (MERSAR), with particular reference to radio communications:
 - (e) Ship position reporting systems and procedures:
 - (f) The use of the International Code of Signals and the International Maritime Organisation Standard Marine Navigational Vocabulary:
 - (g) Radio medical systems and procedures.
- (2) No person who—

- (a) First qualifies for a radio certificate after the 1st day of November 1986; or
- (b) Has not held a valid radio certificate, or has not served as a radio officer or radiotelephone operator in any ship of any class specified in subclause (1) of this regulation during the period of 5 years immediately preceding the 1st day of November 1986,— shall serve as a radio officer or radiotelephone operator in any such ship, unless that person—
 - (c) Holds a certificate of attendance at an approved survival craft course; and
 - (d) Holds a certificate of attendance at an approved firefighting course; and
 - (e) Holds an approved first aid certificate.

45. Certificate of proficiency—The Secretary shall, on application accompanied by the prescribed fee (if any), issue a certificate of proficiency in the prescribed form to any radio officer or radiotelephone operator who—

- (a) Has completed satisfactorily an approved course or courses; or
- (b) Otherwise satisfies the Secretary that the applicant has acquired the knowledge and training specified in regulation 44 (1) of these regulations.

46. Certificates of medical fitness—(1) Subject to subclause (2) of this regulation, no radio officer or radiotelephone operator shall qualify for service in any ship to which regulation 44 (1) of these regulations applies unless that officer or operator obtains a certificate of medical fitness at intervals not exceeding 5 years.

(2) A radio officer or radiotelephone operator who has, within the period of 5 years immediately preceding the 1st day of November 1986,—

- (a) Held a radio certificate; and
- (b) Served as a radio officer or radiotelephone operator in any ship of any class specified in regulation 44 (1) of these regulations,— shall not be required to hold or obtain a current certificate of medical fitness before the 1st day of November 1991, and regulation 47 of these regulations shall not, before that date, apply to any such officer or operator.

47. Superintendent may require production of certificate of medical fitness—(1) A Superintendent may require any radio officer or radiotelephone operator to produce a certificate of medical fitness before that officer or operator commences his or her engagement in such a position on board ship of any class specified in regulation 44 (1) of these regulations.

(2) Where an officer or operator fails to produce a certificate of medical fitness as required by regulation 46 of these regulations, the Superintendent may refuse to permit the engagement of the officer or operator until that officer or operator produces a current certificate of medical fitness relating to the appropriate duties.

PART VI

RADIO EQUIPMENT FOR LIFEBOATS AND SURVIVAL CRAFT

48. Radio equipment for lifeboats and survival craft—(1) The motor lifeboat fixed radiotelegraph installation, the portable radio equipment for

survival craft, the two-way radiotelephone apparatus for survival craft and the survival craft emergency position-indicating radio beacons provided in compliance with the Shipping (Lifesaving Appliances) Regulations 1989* shall comply with the requirements of any performance standard prescribed or endorsed for the purposes of those regulations, and shall be tested in accordance with regulation 8 (1) of these regulations.

(2) The battery included in motor lifeboat fixed radio equipment shall not be used for any other purpose, other than the operation of such equipment and the searchlight provided in compliance with the Shipping (Lifesaving Appliances) Regulations 1989.

PART VII

TRANSITIONAL PROVISION, RESPONSIBILITIES, OFFENCES, AND PENALTIES

49. Transitional provision—Where additional radio equipment is required for any existing installation in accordance with these regulations, ship owners shall provide such additional equipment not later than the 1st day of March 1991.

50. Responsibility of owner—Where these regulations require that a ship shall carry or be provided with any radio equipment or arrangements, it shall be the responsibility of the owner to provide such equipment or arrangements.

51. Responsibility of master—Where these regulations require that a ship shall carry or be provided with any radio equipment or arrangements, it shall be the responsibility of the master to ensure that—

- (a) The ship does not put to sea unless such radio equipment and arrangements are carried or provided; and
- (b) Such radio equipment and arrangements are in good order and condition and fit in all respects for their intended use.

52. Exemptions—The Director may exempt, on such conditions as the Director thinks fit, any ship or class of ship from any or all of the requirements of these regulations, if the Director is satisfied that compliance therewith is unreasonable or impracticable in the case of that ship or ships of that class.

53. Offences and penalties—(1) Every owner or master of a ship who fails to comply with regulation 50 or (as the case may require) regulation 51 of these regulations commits an offence and is liable to a fine not exceeding \$1,000, and, where the offence is a continuing one, a further amount not exceeding \$100 for every day on which the offence has continued.

(2) It is a defence to a prosecution under subclause (1) of this regulation if the defendant proves that—

- (a) The offence occurred without the knowledge, fault, or negligence of the defendant; and
- (b) The defendant had taken all reasonable steps to ensure that such an offence would not occur.

54. Revocations—The rules specified in the Fifth Schedule to these regulations are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Reg. 8 (1)

EQUIPMENT TESTS AND BATTERY AND RESERVE POWER CHECKS

1. Daily—Tests shall be carried out at least once every day as follows:

- (a) Every radio officer who finds any radiotelegraph auto-alarm equipment in operation when going on duty shall test the efficiency of the audible alarm system in the radiotelegraph operating room:
- (b) Every radio officer who leaves radiotelegraph auto-alarm equipment in operation when going off duty shall test the efficiency of the audible alarm system in the radiotelegraph operating room:
- (c) The proper functioning of the radiotelegraph auto-alarm installation shall be tested by listening to signals and comparing them with similar signals received on the radiotelegraph distress frequency on another receiver, and by operating the complete audible alarm system:
- (d) The reserve radiotelegraph transmitter, if not used for communications, shall be tested using a suitable artificial antenna:
- (e) The radiotelephone distress frequency watch receiver shall be tested using the means provided in accordance with regulation 36 (7) (b) of these regulations by listening to signals and, where practicable, comparing them with similar signals received on the radiotelephone distress frequency on another receiver:
- (f) Batteries providing a source of energy for any part of the radio installation shall be tested, and, where necessary, brought up to the fully charged condition:
- (g) Where the reserve source of energy is not a battery (for example, a motor generator), the reserve source of energy shall be tested.

2. Weekly—Tests shall be carried out at least once every week as follows:

- (a) The reserve radiotelegraph transmitter shall be tested using the main antenna and the reserve antenna (if provided):
- (b) The radiotelegraph alarm signal keying device shall be tested using a transmitter set to low power, tuned to a frequency other than the radiotelegraph distress frequency and connected to a suitable artificial antenna:
- (c) The radiotelephone alarm signal generating device shall be tested using the means provided in accordance with regulation 36 (7) (a) of these regulations:
- (d) Lifeboat fixed radiotelegraph installations and portable radio equipment for survival craft shall be tested using suitable artificial antennae:
- (e) Batteries forming part of a lifeboat fixed radiotelegraph installation and survival craft portable radio equipment shall be tested and, where appropriate, brought up to the fully charged condition. Where non-rechargeable batteries are provided in survival craft portable radio equipment as a source of energy, the expiry date of the batteries shall be checked and the batteries replaced where necessary:

FIRST SCHEDULE—*continued*EQUIPMENT TESTS AND BATTERY AND RESERVE POWER CHECKS—*continued*

- (f) Batteries forming part of a two-way radiotelephone apparatus for survival craft shall be tested and, where appropriate, brought up to the fully charged condition. Where non-chargeable batteries are provided as a source of energy the batteries shall be checked and replaced if necessary.

3. Monthly—Tests shall be carried out at least once every month as follows:

- (a) Lifeboat fixed radiotelegraph installations and portable radio equipment for survival craft shall be tested using an antenna provided with the installation or equipment. In the case of motor lifeboat fixed radiotelegraph installations, the test shall, where practicable, be carried out after the lifeboat has been launched:
- (b) Batteries providing a source of energy for any part of the radio installation shall be tested by the means provided in accordance with regulation 9 (1) of these regulations. A check shall also be made of the security of the battery and its connections and the condition of the battery and its compartment.

4. Annually—(1) Subject to subclause (2) of this clause, survival craft emergency position-indicating radio beacons shall be inspected, tested, and, if necessary, have their source of energy replaced, at least once every year.

(2) Such inspections may be carried out at intervals of up to 17 months, if the purpose of the extension is to permit the inspection to take place at the same time as a radio survey.

SECOND SCHEDULE

Reg. 20 (4)

HOURS OF SERVICE FOR SHIP STATIONS OF THE SECOND AND THIRD CATEGORIES

1. Ship stations of the second category shall maintain the following hours of service:

0000-0400	}	ship's time or zone time
0800-1200		
1600-1800		
2000-2200		

In addition, 4 hours of service at times to be decided by the master to meet the essential communication needs of the ship, having regard to propagation conditions and traffic requirements.

2. Ship stations of the third category shall maintain the following hours of service:

0800-1200 ship's time or zone time

In addition, 2 continuous hours of service between 1800 and 2200 hours, ship's time or zone time, at times decided by the master, and 2 hours of service at times decided by the master to meet the essential communication needs of a ship, having regard to propagation conditions and traffic requirements.

Reg. 21

THIRD SCHEDULE
RADIOTELEGRAPH LOG

The radiotelegraph logbook shall be compiled in two parts as follows:

Part I—This Part shall contain the following sections:

- (a) *Section A*—Particulars of the radio officers on board;
- (b) *Section B*—Particulars of all batteries on board used as a source of energy for any part of the radio installation;
- (c) *Section C*—A daily record of the off-load and on-load voltage condition of each battery listed in Section B and details of charging and maintenance, including replacement, of each battery;
- (d) *Section D*—A monthly record of a full examination of each battery listed in Section B including, where appropriate, the condition of each cell.

Part II—Every radio officer keeping radio watch shall enter in this Part of the log—

- (a) His or her name and the times at which the watch commences and ends; and
 - (b) The times at which radio watch is for any reason discontinued, together with the reason and the time at which radio watch is resumed; and
 - (c) Details of the watch kept on the international radiotelegraph distress frequency during silence periods; and
 - (d) All communications relating to distress traffic in full; and
 - (e) Details of urgency and safety communications; and
 - (f) A summary of communications exchanged between the ship station and coast stations or other ship stations, including the serial numbers and the dates of any messages passed; and
 - (g) A record of all incidents connected with the radio service, including the radiotelegraph installation, the radiotelephone installation, and the VHF radiotelephone installation which may appear to be of importance to the safety of life at sea; and
 - (h) Details of the tests and checks required by regulation 8 (1) of these regulations; and
 - (i) At least once each day when the station is open, a record of the time shown by the clock in each radiotelegraph room in comparison with co-ordinated universal time and any correction made in respect of that clock, and a record of the local time in use by the ship; and
 - (j) The position of the ship at least once a day and preferably at midday.
-

FOURTH SCHEDULE
RADIOTELEPHONE LOG

Reg. 42

The radiotelephone logbook shall be compiled in two Parts as follows:

Part I—This Part shall contain particulars of the radiotelephone operators on board:

Part II—Every radiotelephone operator keeping watch shall enter in this Part of the log—

- (a) The name of the radiotelephone operator and the times at which the watch commences and ends; and
- (b) The times at which radio watch is for any reason discontinued, together with the reason and the time at which radio watch is resumed; and
- (c) A summary of communications exchanged between the ship station and coast stations or other ship stations, including the serial numbers and the dates of any messages passed; and
- (d) A summary of all communications relating to distress, urgency, and safety traffic; and
- (e) A record of all incidents connected with the radio service, including the radiotelephone installation and the VHF radiotelephone installation, which occur during the watch and appear to be of importance to the safety of life at sea; and
- (f) Details of the tests and checks required by regulation 8 (1) of these regulations; and
- (g) The position of the ship at least once a day.

FIFTH SCHEDULE
RULES REVOKED

Reg. 54

Title	Statutory Regulations Serial Number
The Shipping Radio Rules 1967	1967/259
The Shipping Radio Rules 1967, Amendment No. 1	1973/50
The Shipping Radio Rules 1967, Amendment No. 2	1986/111
The Fishing Boat Radio Rules 1971	1971/283
The Fishing Boat Radio Rules 1971, Amendment No. 1	1973/46

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 revoke and replace, as from 1 November 1989, the Shipping Radio Rules 1967 and the Fishing Boat Radio Rules 1971.

These regulations arrange ships into classes, and regulate the radio installation, other than radio navigation aids, to be provided in each class of ship. The regulations include such requirements as are necessary to implement the relevant provisions of the International Telecommunication Union Convention 1982 and the 1985 and 1986 revisions to that Convention, the International Convention for the Safety of Life at Sea 1974 and the 1983 Amendments to that Convention, the Torremolinos International Convention for the Safety of Fishing Vessels 1977, and the International Conference on Standards of Training, Certification, and Watchkeeping for Seafarers 1978.

A new section covering VHF Radiotelephony has been included and technical specifications for equipment have been removed from the regulations.

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.