



**THE SHIPPING (SURVEY) REGULATIONS 1989**

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PAUL REEVES, Governor-General

**ORDER IN COUNCIL**

At Wellington this 18th day of September 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 210 and 504 of the Shipping and Seamen Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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## REGULATIONS

## PART I

## PRELIMINARY PROVISIONS

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

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

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

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

“Bulkhead deck” means the uppermost deck up to which the majority of transverse watertight bulkheads are carried:

“Chief Surveyor” means the person who is for the time being the Chief Surveyor of Ships of the Ministry of Transport:

“Initial survey” means an examination of a ship and its equipment, being an examination that—

(a) Is a thorough and complete examination; and

(b) Is supplemented by tests where necessary; and

(c) Is sufficient for the issue of the appropriate certificate of survey for the first time or the first time following a major alteration:

“Instructions to surveyors” means instructions to surveyors issued by the Director under section 505B of the Act:

“Intermediate survey” means an examination of a ship and its equipment, being an examination that—

(a) Is carried out at specified periods between the periodical surveys; and

(b) Is sufficient to keep in force the ship’s certificate of survey:

“In-water survey” means an examination of the external part of the hull underwater while the ship is afloat:

“Periodical survey” means a thorough and complete examination of a ship and its equipment, being an examination that—

(a) Is supplemented by tests where necessary; and

(b) Is sufficient for the issue of the appropriate certificate of survey.

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

(a) Passenger ships:

*Class I:* passenger ships engaged on international voyages:

*Class II:* passenger ships engaged on voyages in the coastal trade:

*Class III:* passenger ships plying on daylight excursions in the coastal trade:

*Class IV:* passenger ships plying not beyond extended river limits:

*Class V:* passenger ships plying only in river limits:

*Class VI:* passenger ships plying not beyond extreme limits:

(b) Non-passenger ships:

*Class VII:* ships (other than ships of Class I or Class VIIA or Class X) engaged on international voyages:

*Class VIIA:* ships engaged as factory ships in the whaling, fish processing, or canning industries:

*Class VIII:* ships (other than ships of any of Classes II to VI, VIIA, IX, and X) engaged only on voyages in the coastal trade:

*Class IX:* ships (other than ships of any of Classes IV, V, VI, and X) that do not proceed beyond restricted limits:

*Class X:* fishing vessels.

## PART II

### SURVEYS LEADING TO ISSUE OR RENEWAL OF NEW ZEALAND CERTIFICATE OF SURVEY: SHIPS OF CLASSES I, II, AND III

**4. Application of Part**—This Part of these regulations shall apply to every ship of Class I or Class II or Class III that—

- (a) Is a New Zealand ship; or
- (b) Is a coastal ship; or
- (c) Is to be registered as a New Zealand ship.

**5. Initial survey**—(1) The owner of every ship to which this Part of these regulations applies that is being constructed or is undergoing a major alteration in New Zealand shall cause the ship to be surveyed during the period of construction or alteration by a surveyor of ships.

(2) The purpose of an initial survey of a ship under this regulation shall be to determine whether—

- (a) The ship has been constructed in accordance with plans and specifications approved pursuant to section 196 of the Act; and
- (b) The arrangements, workmanship, materials, and scantlings of the structure, boilers, other pressure vessels, and their appurtenances, the main and auxiliary machinery, electrical installations, structural fire protection, accommodation spaces, and other equipment comply with the requirements prescribed or endorsed by or under or for the purposes of section 197 of the Act; and
- (c) The radio, safety, and navigational equipment, including the provision of lights, shapes, and means of making sound signals, comply with the requirements prescribed or endorsed by or under or for the purposes of section 235 or section 236 of the Act; and

(d) The relevant instructions to surveyors are complied with.

(3) The initial survey shall include such tests and trials, including sea trials, as are, in the opinion of the surveyor, necessary to ascertain that the hull, equipment, and machinery are in all respects satisfactory for the service for which the ship is intended.

(4) The owner shall make available for inspection by the surveyor such certificates in respect of any items of hull, machinery, and equipment, as the surveyor may require, and shall provide such true copies of any such certificates as the surveyor may require.

**6. Periodical survey**—(1) The owner of every ship to which this Part of these regulations applies shall cause the ship to be surveyed by a surveyor once in each year or at such longer intervals not exceeding the total period for which the ship's certificate of survey is for the time being in force.

(2) Each periodical survey shall be carried out by a surveyor in the manner prescribed by regulations 7 to 11 of these regulations.

**7. Extent of periodical surveys**—(1) At each periodical survey, the surveyor shall examine the hull, machinery, and equipment of the ship to the extent necessary to be satisfied that—

(a) They are in good condition; and

(b) The principal scantlings and connections are maintained; and

(c) The requirements prescribed in respect of such ships by or under the Act have been complied with; and

(d) The ship is in all respects fit for its intended service.

(2) The extent of a periodical survey shall be governed by the age and general condition of the ship, and by the judgement of the surveyor.

(3) Where, at a periodical survey, a surveyor has a reason to suspect the existence of a defect which could render the ship unseaworthy, or where a defect in an exposed part indicates that further exposure may reveal additional defects, the surveyor may extend the scope of the examination of any part or parts of a ship's structure, machinery, or equipment.

(4) Where any alterations have been made to a ship's structure, machinery, or equipment since the previous survey, those alterations shall be drawn to the attention of the surveyor by the owner or the owner's agent.

**8. Survey of hull externally**—(1) At each periodical survey, the following provisions shall apply:

(a) The surveyor shall examine the hull of Class I ships in dry dock:

(b) The surveyor shall examine the hull of Class II and Class III ships in dry dock at such intervals as are prescribed in instructions to surveyors:

(c) Each hull examination is to be carried out after the hull has been cleaned and before it is painted:

(d) The surveyor shall examine all parts of the rudders and propellers, and the ends of the propeller shaft, where such parts and ends are visible.

(2) Notwithstanding subclause (1) of this regulation, on the application of the owner and in accordance with instructions to surveyors, the Chief Surveyor may accept an in-water survey instead of a dry dock survey.

(3) At each survey at which the ship is dry docked, the surveyor shall examine all openings in the ship's sides and bottom that are situated below the bulkhead deck, including valves and other appliances and their fastenings intended to prevent the accidental admission of water into the ship.

(4) On the application of the owner and with the approval of the Chief Surveyor, the surveyor may examine valves, cocks, and other skin fittings over a period of not more than 5 years, and, in such a case,—

- (a) Each valve, cock, or other skin fitting shall be thoroughly examined in rotation with an interval of not more than 5 years between consecutive examinations of each part; and
- (b) In the case of a ship of Class I, the surveyor shall open up or withdraw for examination at each survey not less than 20 percent of those valves, cocks, and other skin fittings.
- (5) In the case of wooden ships, the surveyor may require—
  - (a) The removal of any sheathing, to the extent considered necessary by the surveyor in order to determine the condition of the hull planking; and
  - (b) The withdrawal of selected through fastenings, to ascertain their condition.

(6) In the case of steel or aluminium alloy ships, the surveyor shall periodically test the hull plating thickness by drilling or other means in accordance with instructions to surveyors.

(7) Notwithstanding subclause (6) of this regulation, the surveyor may require portions of the hull to be tested by drilling or other means at any other time if, in the opinion of the surveyor, the hull plating shows signs of excessive wastage.

(8) In the case of fibre reinforced ships, the surveyor shall periodically test the hull for delamination.

(9) The surveyor shall, at each periodical survey, check subdivision loadline and submersion line markings to ensure that they are in accordance with those assigned.

**9. Survey of hull internally**—(1) At each periodical survey, the following provisions shall apply:

- (a) The owner shall cause the cargo holds (if any) to be cleared of cargo; and
- (b) The surveyor shall examine the internal structure of cargo holds and other compartments below deck to determine their condition; and
- (c) Where necessary, the owner shall cause such linings, ceilings, or insulation, as the surveyor directs, to be removed, and the surveyor shall determine the condition of the structure.

(2) When directed to do so by a surveyor, the owner shall cause the double-bottom tanks, peak tanks, and other tanks, including oil-fuel tanks, to be cleaned out, and the surveyor shall examine and test them at such intervals as may be prescribed in instructions to surveyors.

(3) The surveyor shall examine the condition of watertight bulkheads, shaft tunnels, tank tops, and decks to the extent necessary to be satisfied that all subdivision arrangements and details (including piping, valves, and other fittings that affect those arrangements) are in good order.

(4) The surveyor shall inspect and test the operation of all watertight doors and other means of closing openings in watertight bulkheads.

(5) The surveyor shall examine the structural fire protection to the extent necessary to be satisfied that no significant changes have been made to those arrangements and that the integrity of such protection has been maintained.

(6) The surveyor shall examine—

- (a) All superstructures, deckhouses, deck erections, machinery casings, mast houses, and similar structures to the extent necessary to be satisfied that they are in good condition, and that all sidescuttles, windows, doors, and other openings in such structures are in good condition; and
- (b) Such linings, ceilings, or deck coverings as the surveyor directs are to be removed to enable the surveyor to determine the condition of the structure and its connections.

**10. Survey of machinery**—(1) At each periodical survey, the surveyor shall examine and, where necessary, test the main and auxiliary machinery, including boilers, pressure vessels, pumps and piping, deck machinery, steering gear, propellers and shafting, and electrical installation.

(2) At the completion of the periodical survey, the main and auxiliary machinery shall be operated to the satisfaction of the surveyor, and, in particular, the main steering gear, bilge pumping arrangements, main engine bridge controls and means of communication between bridge and engine room shall be tested to the surveyor's satisfaction.

(3) At each periodical survey, boiler safety valves shall be set to the approved safe-working pressure and tested under steam.

**11. Survey of other parts of ship and equipment**—At each periodical survey, the surveyor shall examine all other parts of the ship, and shall inspect and test the fire appliances, lifesaving appliances, radio installation, navigation equipment, and other safety equipment required under the Act, in accordance with instructions to surveyors.

### PART III

SURVEY LEADING TO ISSUE, RENEWAL, OR ENDORSEMENT OF NEW ZEALAND CERTIFICATE OF SURVEY: SHIPS OF CLASSES VII, VIIA, AND VIII

**12. Application of Part**—This Part of these regulations shall apply to every ship of Class VII or Class VIIA or Class VIII that—

- (a) Is a New Zealand ship; or
- (b) Is a coastal ship; or
- (c) Is to be registered as a New Zealand ship.

**13. Initial survey**—(1) The owner of every ship to which this Part of these regulations applies that is being constructed or is undergoing a major alteration in New Zealand shall cause the ship to be surveyed during the period of construction or alteration by a surveyor.

(2) The provisions of subclauses (2) to (4) of regulation 5 of these regulations shall apply to an initial survey of a ship under this regulation as if the ship were a ship to which Part II of these regulations applies.

**14. Periodical survey**—The owner of every ship to which this Part of these regulations applies shall cause the ship to be surveyed by a surveyor at intervals not exceeding 5 years or at such longer intervals not exceeding the total period for which the ship's certificate of survey is for the time being in force.

**15. Extent of periodical surveys**—At each periodical survey, the provisions of regulations 7 to 11 of these regulations shall apply as if the ship were a Class III ship to which Part II of these regulations applies.

**16. Intermediate surveys**—(1) The owner of every ship to which this Part of these regulations applies shall, while the ship's certificate of survey is in force, cause the ship to undergo an intermediate survey by a surveyor.

(2) Each intermediate survey under this regulation shall be carried out each year in the period that commences 3 months before the date of expiry of the ship's certificate of survey and ends 3 months after that date of expiry.

**17. Extent of intermediate surveys**—At each intermediate survey, the surveyor shall follow procedures in instructions to surveyors.

#### PART IV

SURVEYS LEADING TO ISSUE, RENEWAL, OR ENDORSEMENT OF NEW ZEALAND CERTIFICATE OF SURVEY: SHIPS OF CLASSES IV, V, VI, IX, AND X

**18. Application of Part**—This Part of these regulations shall apply to every ship of any of Classes IV, V, VI, IX, and X that—

- (a) Is a New Zealand ship; or
- (b) Is a coastal ship; or
- (c) Is to be registered as a New Zealand ship.

**19. Initial survey**—(1) The owner of every ship to which this Part of these regulations applies that is being constructed or is undergoing a major alteration in New Zealand shall cause the ship to be surveyed during the period of construction or alteration by a surveyor of ships.

(2) The provisions of subclauses (2) to (4) of regulation 5 of these regulations shall apply to an initial survey of a ship under this regulation as if the ship were a ship to which Part II of these regulations applies.

**20. Periodical survey**—The owner of every ship to which this Part of these regulations applies shall cause the ship to be surveyed by a surveyor at intervals not exceeding 4 years or at such longer intervals not exceeding the total period for which the ship's certificate of survey is for the time being in force.

**21. Extent of periodical survey**—At each periodical survey,—

- (a) The provisions of regulations 7 to 11 of these regulations shall apply as if the ship were a Class III ship to which Part II of these regulations applies, subject to the following modifications:

(i) The interval between docking surveys under regulation 8 (1) (b) of these regulations shall not exceed the maximum period between any 2 consecutive surveys, as prescribed in regulation 22 of these regulations:

(ii) The provisions of regulation 8 (4) of these regulations shall be read as if for the expression "5 years", in both places where it occurs, there were substituted in each case the expression "4 years":

- (b) The provisions of regulation 27 of these regulations shall apply as if for the expression "5 years", in both places where it occurs, there were substituted in each case the expression "4 years".

**22. Intermediate survey**—The owner of every ship to which this Part of these regulations applies shall, while the ship's certificate of survey is in force, cause that ship to undergo an intermediate survey—

- (a) In the period commencing 1 month before and ending 2 months after the first anniversary of the date of completion of the survey leading to the issue of the certificate of survey; and
- (b) In the period commencing 1 month before and ending 2 months after the second anniversary of that date; and
- (c) In the period commencing 1 month before and ending 2 months after the third anniversary of that date.

**23. Extent of intermediate surveys**—At each intermediate survey, the surveyor shall follow procedures in instructions to surveyors.

#### PART V

##### SURVEYS LEADING TO ISSUE, RENEWAL, OR ENDORSEMENT OF SAFETY CONVENTION CERTIFICATES

**24. Application of this Part**—This Part of these regulations shall apply to every New Zealand ship required by the Safety Convention to have any Safety Convention Certificates.

**25. Surveys**—The owner of every New Zealand ship to which this Part of these regulations applies shall cause the ship to be surveyed by a surveyor at such intervals as the Safety Convention requires.

**26. Extent of surveys**—The extent of a survey under this Part of these regulations shall be as prescribed—

- (a) In the Safety Convention; and
- (b) In the guidelines for such surveys, published by the International Maritime Organisation; and
- (c) In instructions to surveyors.

#### PART VI

##### MISCELLANEOUS

**27. Continuous survey of hull, machinery, and equipment**—(1) On the application of the owner and with the approval of the Director, the periodic examination and testing of certain parts of a ship's hull, machinery, and equipment may be carried out as a continuous survey cycle extending over a period not exceeding 5 years, so that every part of the hull, machinery, and equipment is examined and given any necessary tests, in rotation with an interval of not more than 5 years between consecutive examinations of each part.

(2) Those parts of the hull, machinery, and equipment whose examination and testing are to be carried out in accordance with subclause (1) of this regulation shall be specified in a "record of continuous survey" approved by the Chief Surveyor, and the periodic examination and testing of such parts shall be carried out and recorded in accordance with that subclause and record.

**28. Extent of surveys in special circumstances**—Where, in respect of any class of ship to which these regulations apply,—



- (a) The Minister has, pursuant to section 224 of the Act, approved an organisation for the purpose of carrying out surveys and issuing certificates of survey; or
- (b) The Minister has, pursuant to section 259 of the Act, appointed an organisation to assign freeboards and issue loadline certificates,—

the Director, in instructions to surveyors, shall specify the extent to which survey reports and certificates issued by such organisations may be accepted by a surveyor for the purposes of completing a declaration of survey.

**29. Offences**—If any provision of these regulations is contravened or not complied with in relation to any ship, the owner (if in fault) commits an offence and is liable on summary conviction 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.

C. J. HILL,  
for Clerk of the Executive Council.

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EXPLANATORY NOTE

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

These regulations, which come into force on 1 November 1989, replace and update the survey provisions of Part X of the Shipping (Passenger Ship) Construction and Survey Rules 1972 and Part VIII of the Shipping (Cargo Ship) Construction and Survey Rules 1976, and include such provisions as are necessary to implement the survey requirements of the Safety of Life at Sea Convention 1974.

The rules referred to above have been replaced by the Shipping (Construction) Regulations 1989.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 September 1989.

These regulations are administered in the Ministry of Transport.