



**THE SHIPPING (RADIO) REGULATIONS 1989,  
AMENDMENT NO. 1**

---

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 28th day of March 1994

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to sections 236 and 504 of the Shipping and Seamen Act 1952, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

---

REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Shipping (Radio) Regulations 1989, Amendment No. 1, and shall be read together with and deemed part of the Shipping (Radio) Regulations 1989\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of May 1994.

**2. Application**—The principal regulations are hereby amended by revoking regulation 3, and substituting the following regulation:

“3. (1) Subject to section 195 of the Act and except as provided in subclause (2) of this regulation, these regulations shall apply to—

“(a) Every New Zealand ship; and

“(b) Every coastal ship; and

“(c) Every other ship within any port in New Zealand—

whose keel has been laid, or in respect of which a similar stage of construction has been reached, before the 1st day of February 1995.

“(2) Nothing in these regulations shall apply to—

- “(a) Any cargo ship of less than 300 gross tonnage that is engaged on an international voyage; or
- “(b) Any coastal ship; or
- “(c) Any restricted-limit ship; or
- “(d) Any fishing vessel—

whose keel has been laid, or in respect of which a similar stage of construction has been reached, on or after the 1st day of February 1993.

“(3) For the purposes of this regulation, ‘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.”

**3. New regulations inserted**—The principal regulations are hereby amended by inserting, after regulation 54, the following regulations:

**“55. Relationship with Shipping (Radio) Regulations 1994 and other requirements**—(1) Every cargo ship of 300 gross tonnage or more that is engaged on an international voyage and every passenger ship engaged on an international voyage, whose keel has been laid, or in respect of which a similar stage of construction has been reached, before the 1st day of February 1995, shall—

“(a) On and after the commencement of this regulation, comply with regulations 7 (1) (d) and 7 (1) (f) of the Shipping (Radio) Regulations 1994 (which relate to NAVTEX broadcasts and satellite EPIRB equipment, respectively); and

“(b) On and after the 1st day of February 1995, comply with regulations 1 and 6 of Chapter III of the Safety Convention (which relate to radar transponders),—

as if it were a ship to which those provisions apply.

“(2) Every cargo ship of less than 300 gross tonnage that is engaged on an international voyage, every coastal ship, every restricted-limit ship, and every fishing vessel, whose keel was laid, or in respect of which a similar stage of construction (as defined in regulation 3 of these regulations) was reached, before the 1st day of February 1993, shall, on and after the commencement of this regulation, comply with regulation 20 (1) (c) of the Shipping (Radio) Regulations 1994 (which relates to satellite EPIRB equipment) as if it were a ship to which that provision applies.

“(3) The requirements imposed by subclauses (1) and (2) of this regulation are in addition to, and not in substitution for, any other requirements of these regulations that may be applicable in the case of any ship.

“(4) It shall be sufficient compliance with the requirements of these regulations if—

“(a) In the case of a ship referred to in subclause (1) of this regulation, the ship complies in all respects with Part II of the Shipping (Radio) Regulations 1994:

“(b) In the case of a ship referred to in subclause (2) of this regulation, the ship complies in all respects with Part II or Part III of the Shipping (Radio) Regulations 1994.

“56. **Expiry**—These regulations shall expire with the close of the 31st day of January 1999 and shall, as from the close of that day, be deemed to have been revoked.”

MARIE SHROFF,  
Clerk of the Executive Council.

---

EXPLANATORY NOTE

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

These regulations, which come into force on 1 May 1994, amend the Shipping (Radio) Regulations 1989 to provide for the transition from those regulations to the Shipping (Radio) Regulations 1994.

Cargo ships of 300 gross tonnage or more and passenger ships, that are engaged on an international voyage, being ships constructed before 1 February 1995, are required,—

(a) On and after the commencement of these regulations, to comply with the principal regulations and regulations 7 (1) (d) and 7 (1) (f) of the Shipping (Radio) Regulations 1994 (which relate to NAVTEX broadcasts and satellite EPIRB equipment, respectively); and

(b) On and after 1 February 1995, to comply with the principal regulations and regulations 1 and 6 of Chapter III of the Safety Convention (which relate to radar transponders).

Cargo ships of less than 300 gross tonnage that are engaged on an international voyage, coastal ships, restricted-limit ships, and fishing vessels, being ships constructed before 1 February 1993, are required, on and after the commencement of these regulations, to comply with the principal regulations and regulation 20 (1) (c) of the Shipping (Radio) Regulations 1994 (which relates to satellite EPIRB equipment).

During the transitional period, ships in the class first-mentioned in this note will be deemed to comply with the principal regulations if they comply with the requirements of Part II of the Shipping (Radio) Regulations 1994 and ships in the class secondly-mentioned in this note will be deemed to comply with the principal regulations if they comply with the requirements of Part II or Part III of those regulations.

The principal regulations expire with the close of 31 January 1999. On and after 1 February 1999, all such vessels will have to comply with the relevant requirements in the Shipping (Radio) Regulations 1994.

---

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 31 March 1994.

These regulations are administered in the Ministry of Transport.