



THE SHIPPING TONNAGE RULES 1976, AMENDMENT NO. 1

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 21st day of December 1981

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 445 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 rules.

RULES

1. Title and commencement—(1) These rules may be cited as the Shipping Tonnage Rules 1976, Amendment No. 1, and shall be read together with and deemed part of the Shipping Tonnage Rules 1976* (hereinafter referred to as the principal rules).

(2) These rules shall come into force on the 18th day of July 1982.

2. Commencement of principal rules—Rule 1 of the principal rules is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) These rules shall come into force on the 18th day of July 1982.”

3. Application of principal rules—The principal rules are hereby amended by revoking rule 3, and substituting the following rule:

“3. (1) Subject to the succeeding provisions of this rule, these rules shall apply to every ship that is—

“(a) Registered or to be registered as a New Zealand ship under Part XII of the Act; or

“(b) A New Zealand ship and is required under Part IV of the Act to have in force before proceeding on a voyage a certificate of survey or a certificate of completion.

“(2) These rules shall not apply to an existing ship until—

“(a) The expiry of a period of 12 years commencing with the date of the commencement of these rules; or

“(b) The ship sooner undergoes such alterations or modifications as a Surveyor considers would cause a substantial variation in the existing gross tonnage of the ship; or

“(c) The ship is sooner remeasured in accordance with these rules on the written request of the owner given to a Surveyor.

“(3) Except in a case to which subclause (2) (b) of this rule applies, these rules shall not apply to an existing ship of less than 24 metres in length if the tonnage of that ship has been determined in accordance with the Shipping Tonnage Regulations 1969*.

“(4) Any existing ship that is remeasured on the expiry of the period referred to in subclause (2) (a) of this rule shall retain its tonnages existing immediately before its remeasurement for the purpose of the application to it under the Act of the requirements of any international convention, other than the Tonnage Convention.

“(5) An existing ship that has its tonnage remeasured pursuant to a request under subclause (2) (c) of this rule shall not subsequently have its tonnage determined in accordance with the Shipping Tonnage Regulations 1969*.

“(6) Where, under the Act, the tonnage of any ship other than a New Zealand ship is to be determined, it shall be determined in accordance with the First Schedule or the Second Schedule to these rules, depending on its length, as if the ship were a New Zealand ship.”

4. Saving—Rule 9 of the principal rules is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) Notwithstanding the revocation of the Shipping Tonnage Regulations 1969*, those regulations shall continue to apply, as if they had not been revoked, to every existing ship until these rules apply to that ship by virtue of the provisions of rule 3 of these rules.”

*S.R. 1969/151

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

EXPLANATORY NOTE

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

Rule 2 brings the Shipping Tonnage Rules 1976 into force on 18 July 1982. Those rules were made to give effect in New Zealand to the International Convention on Tonnage Measurement of Ships, done at London on 23 June 1969. That convention comes into force on 18 July 1982.

Rules 3 and 4 clarify the application of the principal rules to existing ships, and the circumstances in which they may retain their existing tonnages under the Shipping Tonnage Regulations 1969.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 December 1981.

These rules are administered in the Ministry of Transport.