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Circular Letter No.4248/Add.6
1 September 2020

To: All IMO Members
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Communication from the Government of New Zealand**

The Government of New Zealand sent the attached updated communication, dated 28 August 2020, with the request that it be circulated by the Organization.



28 August 2020

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Level 11,1 Grey Street, Wellington 6011

PO Box 25620, Wellington 6140
New Zealand

Secretary General
International Maritime
Organization
4 Albert Embankment
London SE1 7SR
United Kingdom

Dear Secretary General

Re: Extending the Validity of New Zealand Seafarer Ancillary Certificates

In light of the COVID-19 situation and Circular Letter 4204/Add.5, please find attached general exemptions "Extending the Validity of New Zealand Seafarer Ancillary Certificates." I would appreciate it if you could you circulate these documents to IMO member States and observer organizations, as an addendum to Circular Letter No.4248.

Summary of exemption outcomes

New Zealand issued STCW associated ancillary certificates, subject to conditions outlined in the attached exemption the holders or persons applying for a certificate of competency or certificate of proficiency or endorsement do not need to demonstrate continued competence.

This exemption shall be valid until 28 February 2021, unless withdrawn earlier.

Further information for Seafarers is available at

<https://www.maritimenz.govt.nz/commercial/certification/documents/Seafarer-certificates-expiring-during-COVID19.pdf>

Yours sincerely



Keith Manch

Director and Chief Executive Officer

Maritime New Zealand

EXEMPTION FROM THE REQUIREMENTS IN MARITIME RULE 31.25(2) AND 32.16(1)

PURSUANT TO Section 47 of the Maritime Transport Act 1994,

I, KENNETH CRAWFORD, Deputy Director Maritime Systems Assurance, acting under delegated authority, being satisfied that –

- (a) the granting of the exemption will not breach New Zealand’s obligations under any convention; and
- (b)(iv) events have occurred that make the prescribed requirements unnecessary or inappropriate in the particular case; and
- (ba) the risk of harm to the marine environment will not be significantly increased by the granting of the exemption; and
- (c) the risk to safety will not be significantly increased by the granting of the exemption,

HEREBY EXEMPT:

Seafarers who hold or are applying for a certificate of competency or certificate of proficiency or endorsement issued under Part 32 of the Maritime Rules and corresponding to an STCW certificate, or a certificate of recognition of an STCW certificate issued under section 41 of the Maritime Transport Act

FROM:

The requirements of Maritime Rules 31.25(2) and 32.16(1)

31.25 Duty of crew to hold certificates and to be able to demonstrate ancillary proficiencies

(2) No person may act in a crew position for which a specific ancillary proficiency is required under either a Minimum Safe Crewing Document or a provision of this Part unless the person is able to demonstrate the ancillary proficiency in accordance with rule 32.16 and 32.170 of Part 32.

32.16 Requirement to hold certificate and associated endorsements

1) A requirement in this Part, Part 31 or under any New Zealand maritime security legislation for a person to demonstrate an ancillary proficiency provided for in the Schedule to this Part is met if the Director is satisfied that—

- (a) the person has achieved the relevant competency and training standard as set out in the Schedule to this Part (which may have been achieved for a pre-requisite certificate); and
- (b) for STCW certificates, in any case in which column 5 of the Schedule indicates a person is required to demonstrate continued competence, the person has demonstrated continued competence in the 5 years preceding the date of the relevant application or as otherwise required by the Schedule; and
- (c) for certificates to which subpart B or D applies, the person has demonstrated continued competence for first aid as prescribed in row (a) of the Schedule.

ONLY IN RESPECT OF:

Ancillary proficiencies which require demonstrated continued competence under Schedule One, Column 5 of Part 32 of the Maritime Rules

PROVIDED THAT:

The individual previously held the required ancillary proficiency (ie, the individual holds an expired ancillary proficiency)

This exemption shall be valid until **28 February 2021**, unless withdrawn earlier in writing by the Director.

SIGNED at Wellington on this 24th day of June 2020.

A handwritten signature in black ink that reads "Kenneth W. Crawford". The signature is written in a cursive style with a large 'K' and 'C'.

Kenneth Crawford
Deputy Director Maritime Systems Assurance
Maritime New Zealand
Acting under Delegated Authority
