

1964/13



THE COASTAL PILOTS REGULATIONS 1964

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 17th day of February 1964

Present:

THE HON. J. R. MARSHALL PRESIDING IN COUNCIL

PURSUANT to 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.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Coastal Pilots Regulations 1964.

(2) These regulations shall come into force on the date of their notification in the *Gazette*.

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

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

“Examiner” means a person appointed to hold examinations for the purpose of granting certificates of competency as masters and mates under section 20 of the Act:

“Licence” means a licence as a New Zealand Coastal Pilot issued under these regulations for the purposes of section 371 of the Act:

“Minister” means the Minister of Marine:

“General licence” means a licence enabling the holder to act as the pilot of any ship proceeding from one port in New Zealand to any other such port:

“Restricted licence” means a licence having effect only with respect to the waters specified in the licence:

“Secretary” means the Secretary for Marine; and includes his deputy:

Expressions defined in the Act have the meanings so defined.

PART I—GENERAL LICENCES

3. Qualification of applicants—Every applicant for a general licence must possess the following qualifications:

- (a) He must be the holder of a certificate of competency granted under the Act as master of foreign-going ship or a valid certificate of competency declared by the Act to have the same force as if granted under the Act; and
- (b) He must furnish satisfactory proof that within the five years immediately preceding the date of his application for a licence he served in a vessel of not less than 500 register tons engaged in the home trade as master for at least one year or as mate for at least three years or in both capacities for an equivalent total period:

Provided that the Minister may consider and accept such other service as, in his opinion, is equivalent and satisfactory and proved to his satisfaction; and

- (c) He must submit a certificate that within the six weeks immediately preceding the date of his application he passed the sight tests prescribed in Appendix C of the Masters and Mates (Foreign Going and Unrestricted Home Trade) Examination Regulations 1961;* and
- (d) He must furnish satisfactory proof of good conduct and sobriety during the 12 months immediately preceding the date of his application; and
- (e) Before the first grant of a licence, and thereafter if required under subclause (4) or subclause (5) of regulation 13 hereof, he must pass before an Examiner the examination for a general licence.

4. Examination syllabus—A candidate presenting himself for examination for a general licence must show a satisfactory knowledge of the following subjects:

- (a) The New Zealand coasts and their dangers (cautions and warnings given in sailing directions); approaches to harbours, roadsteads and anchorages;
- (b) Times and heights of tides; times of tidal streams; the direction of the tidal streams and currents, with their variations; occasional currents;
- (c) Description and characteristics of main New Zealand coastal lights, fog signals, and radio beacons;
- (d) Ports at which pilotage is compulsory, and limits of harbours.

PART II—RESTRICTED LICENCES

5. Qualification of applicants—Every applicant for a restricted licence must possess the following qualifications:

- (a) He must be the holder of—
 - (i) A certificate of competency granted under the Act as master of foreign-going ship or a valid certificate of competency declared by the Act to have the same force as if granted under the Act; or
 - (ii) A certificate of competency granted under the Act as master of home-trade ship; and

- (b) He must furnish satisfactory proof that for a period of at least one year within the five years immediately preceding the date of his application for a licence he served as master in a vessel of not less than 300 register tons engaged in the area for which the licence is applied for:

Provided that the Minister may consider and accept such other service as in his opinion is satisfactory for the particular area:

- (c) He must submit a certificate that within the six weeks immediately preceding the date of his application he passed the reduced-standard eyesight test prescribed in Appendix B of the Masters (Restricted Home-Trade and Fishing Boats) Examination Regulations 1961;* and
- (d) He must furnish satisfactory proof of good conduct and sobriety during the 12 months immediately preceding the date of his application; and
- (e) Before the first grant of a licence and thereafter if required under subclause (4) or subclause (5) of regulation 13 hereof, he must pass before an Examiner the examination for a restricted licence.

6. Examination syllabus—A candidate presenting himself for examination for a restricted licence must show a satisfactory knowledge of the following subjects:

- (a) The New Zealand coasts and their dangers (cautions and warnings given in sailing directions); approaches to harbours; roadsteads and anchorages:
- (b) Times and heights of tides; times of tidal streams; the direction of the tidal streams and currents, with their variations; occasional currents:
- (c) Description and characteristics of main New Zealand coastal lights, fog signals, and radio beacons, and of all navigational aids for any particular port within the area for which no harbour pilotage service is provided and for which the licence is sought:
- (d) Ports at which pilotage is compulsory and limits of harbours as they apply to the area for which the licence is sought.

PART III—MISCELLANEOUS PROVISIONS

7. Application for licence—(1) Every person seeking to pass the examination for either a general licence or a restricted licence shall make application to the Secretary to that effect and pay the fee prescribed by regulation 15 hereof.

(2) Every application for a licence must be made in writing by the applicant to the Secretary and be accompanied by the fee prescribed by regulation 15 hereof.

8. Place of examination—The examination shall be held at Wellington or elsewhere at such times as the Secretary may from time to time arrange and notify to applicants.

9. Form of licence—Every licence shall be issued by the Secretary, and shall be in form 1 or form 2, as the case may require, in the Schedule hereto.

10. Term of licence—(1) Subject to the provisions of subclause (2) of this regulation and of regulation 12 hereof, every licence shall remain in force for a period of three years from the date of issue, but may be extended at the end of that period for further periods of not more than three years at a time:

Provided that in the case of a licence or extension issued to a person who has attained the age of 67 years but has not attained the age of 70 years the licence or extension shall be issued for a period expiring on the date on which he will attain the age of 70 years.

(2) Subject to the provisions of regulation 12 hereof, every licence issued to an applicant who has attained the age of 70 years shall remain in force for a period of one year from the date of issue, but may be extended at the end of that period for further periods of one year at a time.

11. Medical certificate required where applicant has attained 70 years of age—Before a licence may be issued to an applicant who has attained the age of 70 years, he must produce a medical certificate to show that he is in good health and is not afflicted with any bodily infirmity rendering him unfit for the duties of his position.

12. Extension of licence where holder has attained 70 years of age—(1) Before the licence of any pilot who has attained the age of 70 years may be extended, he must produce a medical certificate to show that he is in good health and is not afflicted with any bodily infirmity rendering him unfit for the duties of the position.

(2) Subject to his passing an eyesight test to the standard required in regulation 5 hereof, his licence may be extended for a period of one year, and thereafter on his producing a medical certificate as aforesaid and passing a similar standard of eyesight test at the end of each year his licence may be extended yearly for periods of one year at a time.

13. Extension of licence—(1) Application for extension of a licence shall be made to the Secretary not later than one month after the date on which the licence or any extension expires.

(2) Extension of a licence may be by endorsement in form 3 in the Schedule hereto.

(3) Every holder of a licence making application for an extension of licence or a new licence shall submit a return stating the names of the ships he has piloted during the period of the licence, or, as the case may be, the last extension thereof and the nature of each voyage.

(4) If the return referred to in subclause (3) of this regulation is not submitted, the Minister may direct that before an extension of a licence is endorsed thereon the applicant shall again pass an examination as prescribed in these regulations.

(5) If the return referred to in subclause (3) of this regulation is not submitted, or in any other cases in which he deems it advisable, the Minister may direct that before a new licence is issued to any applicant he shall again pass an examination as prescribed in these regulations.

(6) A new licence shall not in any case be issued unless the applicant submits a certificate that he has within the six weeks immediately preceding the date of application passed the sight tests referred to in paragraph (c) of regulation 3 or paragraph (c) of regulation 5 hereof, as the case may require.

(7) No endorsement of extension shall be made on a licence and no new licence shall be issued until the applicant has paid the fee prescribed by regulation 15 hereof.

14. Lost or destroyed licences—If a licence is lost or destroyed, the Secretary, on proof to his satisfaction of the loss or destruction thereof and on payment of the fee prescribed by regulation 15 hereof, may issue a duplicate of the licence to include all endorsements thereon.

15. Fees—The following fees shall be payable under these regulations in respect of general and restricted licences:

- | | | | |
|--|-------|-------|---------|
| (a) For admission to the examination ..... | ..... | ..... | £2 |
| (b) For subsequent admission to the examination pursuant to subclause (4) or subclause (5) of regulation 13 hereof | | | £1 |
| (c) For the first licence issued to any coastal pilot ..... | ..... | ..... | £5 |
| (d) For every extension of a licence or subsequent licence if obtained not later than 14 days after the expiration of the previous extension or licence— | | | |
| (i) For period of a year ..... | ..... | ..... | £1 15s. |
| (ii) For period of more than a year ..... | ..... | ..... | £5 |
| (e) For every extension of a licence or subsequent licence taken out later than 14 days after the expiration of the previous extension or licence— | | | |
| (i) For period of a year ..... | ..... | ..... | £2 |
| (ii) For period of more than a year ..... | ..... | ..... | £6 |
| (f) For every duplicate of a lost or destroyed licence ..... | ..... | ..... | £1 |

16. Revocation—The Coastal Pilot Licensing Regulations 1939* are hereby revoked.

*S.R. 1939/5

SCHEDULE

Reg. 9

Form 1

GENERAL LICENCE AS NEW ZEALAND COASTAL PILOT

Issued under the Shipping and Seamen Act 1952

PURSUANT to section 371 of the Shipping and Seamen Act 1952, A.B., of born at on the day of is hereby licensed to be a New Zealand Coastal Pilot, while this licence continues in force, with respect to ships proceeding from any port in New Zealand to any other such port.

This licence does not entitle the holder to act as pilot of any ship within the limits of any pilotage district under the jurisdiction of a Harbour Board where pilotage is compulsory.

This licence expires on the day of 19....., unless renewed by endorsement hereon.

This licence was granted after examination.

Issued this day of 19.....

.....
Secretary for Marine, Wellington.

Reg. 9

Form 2

RESTRICTED LICENCE AS NEW ZEALAND COASTAL PILOT

Issued under the Shipping and Seamen Act 1952

PURSUANT to section 371 of the Shipping and Seamen Act 1952, A.B., of born at on the day of is hereby licensed to be a New Zealand Coastal Pilot, while this licence continues in force, with respect to ships proceeding in the following waters:

This licence expires on the day of 19....., unless renewed by endorsement hereon.

This licence was granted after examination.

Issued this day of 19.....

.....
Secretary for Marine, Wellington.

Reg. 12 (2)

Form 3

RENEWED for a further term of year(s) from the day of, 19.....

Dated this day of 19.....

.....
Secretary for Marine, Wellington.

T. J. SHERRARD,
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 replace with some changes the Coastal Pilot Licensing Regulations 1939. The principal amendment is that Coastal Pilots' licences may be issued for restricted areas as well as for the full coastal service.

Provision is made for the issue of licences having duration for periods of three years and for the extension of licences for one-year periods when the holder reaches the age of 70 years.

Provision is also made requiring applicants for and holders of licences who have attained 70 years of age to produce a medical certificate to undergo sight tests annually.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 February 1964.

These regulations are administered in the Marine Department.