



THE SHIPPING (ACADEA B) RULES 1994

RULES MADE BY THE COOK ISLANDS MARINE BOARD

At Avarua, Rarotonga, this 8th day of April

1994

Present:

Henry T Puna	-	Chairman
Donald H Silk	-	Member
Joseph Caffery	-	Member
Stuart Davies	-	Member

PURSUANT to Sections 27 and 48 of the Cook Islands Shipping Ordinance 1963 the Cook Islands Marine Board hereby prescribes the following rules for the vessel "ACADEA B":-

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1. Title - These rules may be cited as the Shipping ("ACADEA B") Rules 1993.
2. Interpretation - In these rules, unless the context otherwise requires:
 - "Board" shall mean the Cook Islands Marine Board appointed pursuant to the provisions of the Cook Island Shipping Ordinance 1963;
 - "Chairman" means the Chairman of the Cook Island Marine Board
 - "EPIRB" means an emergency position indicating radio beacon;
 - "Harbourmaster" means the Harbourmaster appointed pursuant to the provisions of the Waterfront Industry Act 1973-74;
 - "Manning" means the composition of the personnel involved in crewing the vessel;
 - "Master" shall mean the master of the "ACADEA B";
 - "Ordinance" means the Cook Islands Shipping Ordinance 1963";
 - "Owner" means any person owning or operating the vessel;
 - "Passenger" means any person as defined in the Shipping Ordinance 1963.
 - "Vessel" means the motor vessel "ACADEA B".
3. Manning of Vessel - The following shall be carried on any voyage -
 - (a) A master holding a certificate of competency issued by the Board;
 - (b) A minimum crew consisting of -
 - (i) An engineer holding a Certificate of Competency issued by the Board;
 - (ii) A mate or boatswain;
 - (iii) A person capable of keeping a watch;
 - (iv) At least one other deck crew;
4. One crew member in addition to the Engineer to have Knowledge of the engine - The owner shall ensure that the master and one other crew member have the requisite knowledge to stop, start and operate the engine of the vessel.
5. One Member of crew to be trained in the rudiments of navigation and radio operation - It shall be obligatory on the part of the owners to ensure that at least one member of the crew is taught the rudiments of navigation and radio on ship operation so that in the incapacity of the master during any voyage the vessel can be navigated in safety to the nearest port or island.

6. Crew to be aware of emergency stations and duties - (1) The owners shall be responsible for ensuring that there is prepared for the vessel a chart showing the emergency stations and duties of all crew members.

(2) The master of the vessel must ensure that each crew member is aware of his station and duties required of him should an emergency arises.

7. Deck watch during hours of darkness - (1) Where the vessel is manually steered there shall be, during the hours of darkness, a deck watch kept by another member of the crew.

(2) Where the vessel is steered under automatic pilot, there shall be, during the hours of darkness, a deck watch kept.

8. Crew not to operate winches unless experienced - No member of the crew shall be permitted to operate any winch unless he is experienced in the operation thereof.

9. Telecommunication schedule to be kept - (1) The master of the vessel while at sea within the Cook Islands waters or at any harbour or any anchorage and any outer islands shall maintain a minimum of two telecommunication calls each day with Telecom Cook Islands Coast Station, ZKR, of Rarotonga.

(2) The Chairman or Harbourmaster or Telecom Cook Islands may at any time he deems necessary direct that the master of the vessel increase his number of telecommunication calls each day.

(3) It shall be sufficient requirement under this clause that the Chairman or Harbourmaster Telecom Cook Islands may direct;

(i) The owner of the vessel in writing; or

(ii) The master of the vessel by voice contact; or

(iii) By telegram or facsimile sent to the master;

to increase the number of telecommunication calls each day.

10. Crews' quarters - The quarters for the crews shall be kept in a clean and hygienic condition.

11. Carriage of Passengers - No passengers shall be carried on this vessel at any time without the prior approval of the Board in writing.

12. Number of passengers to be entered in the logbook - For any voyage where an approval has been obtained for carriage of passengers the master shall on departure from each port or island enter in the logbook the number of passengers who embarked or disembarked.

13. Toilet and washrooms - Proper and hygienic toilets and washroom with an ample supply of fresh water shall be made available for all on board.

14. Defective conveniences - The owner shall not permit or suffer any water closet, urinal, bath shower, lavatory basin, sink or any other sanitary fitting to be in such state or defective condition as to render such conveniences incapable of proper and hygienic use.

15. Carriage of Explosives - Gelignite, detonators or explosives shall not be carried on any voyage without the written permission of either the Chairman or the Harbourmaster, who may, in the interest of safety impose such conditions as they consider necessary.

16. Limitation on deck cargo - The maximum amount of deck cargo that may be carried on any one voyage shall not exceed the weight so as to hinder the vessel's ability to right itself when heeled over from any outside cause is hampered.

17. Loadline not to be submerged - The vessel shall not proceed to sea from any island in the Cook Islands if the loadline is submerged.

18. First aid kit to be carried - There shall be carried on the vessel, under the control of the master a first aid kit containing such equipment, medicine and the like as the Secretary General of Health shall direct.

19. Fire fighting equipment to be inspected - (1)(a) Each hose and portable fire extinguisher/s on the vessel shall be inspected monthly to ensure that -

- (i) They are in their designated places;
- (ii) They have not been actuated or tampered with;
- (iii) The operating instructions are clear;
- (iv) There is no obvious physical damage, corrosion or other impediments.

(b) Every equipment showing any deficiency as specified in this clause shall be either repaired or replaced immediately;

(c) Every inspection under this clause shall be recorded by the master in the logbook.

(2) Each portable fire extinguisher carried on the vessel shall be examined annually by a competent serviceman and a certificate as to its serviceability is obtained.

20. Life saving appliances - The following life saving appliances shall be carried on each voyage irrespective of the number of passengers and/or crew carried:

- (i) Sufficient life jackets for use by every person on board;
- (ii) Sufficient inflatable life rafts and life boats with certification to carry all persons on board;
- (iii) Each inflatable life raft and life boat shall carry functional EPIRB type communication device for use during time of emergency.

21. Storage of life jackets - Life jackets shall be stored in the accommodation.

22. Types of life jackets - All life jackets carried on the vessel shall be of the type approved by a reputable or recognised authority/association.

23. Watertight doors to cabin accommodation - (1) There shall be watertight door/s at any entry into the accommodation.

24. Spare gear and tools - The owner shall ensure that on the vessel is a sufficient quantity of spare gear to enable repairs which are essential to the safety of the vessel and of persons on board and which can be effected while the vessel is at sea and such tools as are necessary for fitting that spare gear.

25. Compliance with Cook Islands Shipping Ordinance 1963 and Radio (Shipping) Regulations 1993 - The owners of the vessel shall ensure that the provisions of Part III of the Cook Islands Shipping Ordinance 1963, the Radio (Shipping) Regulations 1993 and any other rules are complied with; and if not, it shall be compulsory for the master not to proceed to sea until such time as the vessel complies with the requirements of the aforesaid mentioned Ordinance, Regulations and Rules or obtains the written permission of the Board.

26. Delegation of Power - The Board may delegate to the Chairman and one other member of the Board or the Harbourmaster and one other member of the Board to exempt the vessel from the provisions of these rules.

27. Offences and Penalties - (1) The owner or skipper who fails to comply with any part of these rules for which no other penalty is provided, commits an offence and shall be liable on conviction to a fine not exceeding One Thousand Dollars (\$1000).

28. Copy of rules to be carried - A copy of these rule shall be carried on the vessel boat.

These rules are administered by the Cook Islands Marine Board

BY AUTHORITY:

RAROTONGA, COOK ISLANDS: Printed by the Cook Islands Government - 1994

