



MARITIME (NON CONVENTION SHIP) RULES, 2014 NO.1

155/14

18 December 2014

339

CONTENTS

- 1 Title and Commencement
 - 2 Interpretation
 - 3 Purpose
 - 4 IACS REC.99 Incorporated by Reference
 - 5 Application
 - 6 Compliance with IACS REC.99
 - 7 Non-Compliance
 - 8 Amendments to IACS REC.99
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1 Title and Commencement

- (1) These Rules may be cited as the Maritime (Non Convention Ship) Rules.
- (2) These Rules will come into force on the day after notice of their making is given in the Gazette.

2 Interpretation – In these rules, -

“Act” means the Maritime Transport Act 2008;

“Administration” for the purposes of Flag State matters means the Administrator appointed under the Ship Registration Act 2007 for the time being and for the purposes of Port and Coastal State matters means the Ministry of Transport or such other entity of the Cook Islands Government that has competency;

“IACS REC.99” means, Recommendations for the Safety of Cargo Vessels of less than Convention Size published by the International Association of Classification Societies (IACS);

“Registrar” means the Registrar of Ships appointed under section 11 of the Ship Registration Act, 2007;



MARITIME (NON CONVENTION SHIP) RULES, 2014 NO.1

155/14

18 December 2014

340

“Vessel” means any vessel registered pursuant to the Ship Registration Act, 2007 to which the IACS REC.99 applies;

- 3 Purpose – The purpose of these Rules is to –
- (1) Implement Cook Islands’ obligations to regulate ships of non-convention size.
 - (2) Enforce compliance with those obligations and standards by way of investigation and enforcement under the Act.
- 4 IACS REC.99 incorporated by reference – The IACS REC.99 is incorporated into and forms part of these Rules.
- 5 Application – These Rules shall apply to a vessel and the vessels owner and master to the extent that the IACS REC.99 apply to that vessel, the owner or the master.
- 6 Compliance with IACS REC.99 –
- (1) Where IACS REC.99 provides for the manner in which the vessel, the vessel owner and master are required to comply, then the vessel, vessel owner and master must comply in the manner provided by IACS REC.99.
 - (2) If IACS REC.99 does not provide for or there is uncertainty about the manner in which the standards are to be discharged then, the vessel, the vessel owner and master are obligated to comply in the manner directed by the Registrar from time to time.
- 7 Non-Compliance – A person who fails to comply with either of Rules 6 (1) or 6 (2) commits an offence against the Act, and is liable to prosecution under the Act.
- 8 Amendments to IACS REC.99
- (1) Except as provided by Subclause (2) all amendments to the IACS REC.99 from time to time are incorporated into these Rules;



MARITIME (NON CONVENTION SHIP) RULES, 2014 NO.1

155/14

18 December 2014

341

- (2) The Minister may by notice in the Gazette exclude from these Rules any instrument amendment or modification which but for the notice would be incorporated into these Rules under Subclause (1).
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