



MARITIME (SAIL TRAINING) RULES, 2014 NO.1

155/14

18 December 2014

344

CONTENTS

- 1 Title and Commencement
- 2 Interpretation
- 3 Purpose
- 4 Code Incorporated by Reference
- 5 Application
- 6 Compliance with Cook Islands Sail Training Code of Practice
- 7 Non-Compliance
- 8 Amendments to Code

1 Title and Commencement

- (1) These Rules may be cited as the Maritime (SAIL TRAINING) 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;

“Code” means, The Cook Islands Sail Training Code of Practice as amended from time to time and incorporated by reference as part of these Rules pursuant to rules 4 and 8. The Code is available on the Maritime Cook Islands website and is a controlled document under the Maritime Cook Islands Quality Management System;

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



MARITIME (SAIL TRAINING) RULES, 2014 NO.1

155/14

18 December 2014

345

“Vessel” means any vessel registered pursuant to the Ship Registration Act, 2007 to which the Code applies;

- 3 Purpose – The purpose of these Rules is to enforce compliance with the standards contained in the Code by way of investigation and enforcement under the Act.
 - 4 Code incorporated by reference – The Code 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 Code applies to that vessel, the owner or the master.
 - 6 Compliance with Cook Islands Sail Training Code of Practice –
 - (1) Where the Code provides for the manner in which the vessel, the vessel owner and master are obligated to comply then the vessel owner and master must comply in the manner provided by the Code.
 - (2) If the Code does not provide for or there is uncertainty about the manner in which the vessel, the vessel owner and master are obliged to comply 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 Code
 - (1) Except as provided by Subclause (2) all amendments to the Code from time to time are incorporated into these Rules;
 - (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).
-