

SafeSEAS CleanSEAS



07

Castle Point
Lighthouse
100 years on



08

Lifejacket
wearing promo
New audience targeted



09

Folau Malu
Work continues

THIS ISSUE Maritime Compliance Managers all on deck **03** Fine sends clear message to polluters **05**
Oil pollution levies to increase **05** Antarctic search **06** MNZ's legislative role **10** SeaCert and MOSS update **11**



Mainstream

First fishing vessel to be reflagged

Full story on **page 12**



SafeSEAS CleanSEAS



Welcome to the first issue of *Safe Seas Clean Seas* and *LOOKOUT!* for 2013 – the first edition in our new combined format.

Maritime New Zealand (MNZ) will continue to bring you maritime, regulatory and compliance news from the commercial and recreational sector, as well as environmental, oil pollution response, and search and rescue stories in the *Safe Seas Clean Seas* part of the publication.

Safety is at the forefront of *LOOKOUT!*, which focuses on lessons learnt from accidents. This issue's stories cover commercial and recreational accidents. There's also an overview of fatality statistics for both sectors over the past 10 years, and fatalities by vessel type over the past five years.

The 29 maritime fatalities in 2012 show the clear need for continued work and vigilance to reduce fatalities, incidences of serious harm and injuries. This requires both that vessels are safe and that those who operate them know what they are doing and act responsibly.

MNZ's compliance approach is to use the "right tool at the right time" to support vessel and operator safety. Education and information is a key tool when it comes to increasing compliance with rules and regulations – one of MNZ's key roles as regulator.

Prosecution is also a key tool – both for holding errant operators to account and for encouraging everyone to take their responsibilities seriously. The prosecution of **Oyang 75** for failure to notify two discharges or escapes of harmful substances into the sea sends a clear message to the fishing sector that these practices will not be tolerated and that there are serious consequences for those who break the law.

That's where *Safe Seas Clean Seas* and *LOOKOUT!* come in. You'll find useful information on regulatory changes, as well as news about action taken when rules have been broken. The bottom line that drives compliance activity – whatever form that takes – is the desire to make the maritime environment as safe and clean as possible. We profile some of the key staff involved in this work.

We mark the first reflagging of a foreign chartered fishing vessel – **Mainstream** – ahead of the Government's plan to make reflagging mandatory by 2016. Reflagging involves bringing the vessel and its safety systems under New Zealand rules and legislation, with appropriately qualified crew.

Our important work on the Maritime Operator Safety System (MOSS) and SeaCert qualifications framework is continuing. We are working to meet new timeframes and seeking industry support and involvement.

Our focus on reducing recreational fatalities continues in work with the Folau Malu (Journey Safely) programme. This is aimed specifically at promoting safe boating education and practices in the Pasifika community.

I hope you enjoy this issue.

Keith Manch

Director of Maritime New Zealand

FREE subscription to *LOOKOUT!* and *Safe Seas Clean Seas*

To subscribe or unsubscribe to this **FREE** quarterly publication, or to change your address details, email us at epublications@maritimenz.govt.nz or phone 0508 22 55 22.

Disclaimer: All care and diligence has been used in extracting, analysing and compiling this information, however, Maritime New Zealand gives no warranty that the information provided is without error.

Copyright Maritime New Zealand 2013: Parts of this document may be reproduced, provided acknowledgement is made to this publication and Maritime New Zealand as the source.

MARITIME NEW ZEALAND
LEVEL 10, 1 GREY STREET
PO BOX 27006, WELLINGTON 6141
NEW ZEALAND

TELEPHONE +64 4 473 0111
FACSIMILE +64 4 494 1263
WWW.MARITIMENZ.GOV.T.NZ

Safe Seas Clean Seas ISSN: 1175-7736
LOOKOUT! ISSN: 1177-2654

NewZealandGovernment

Maritime compliance managers all on deck

As part of MNZ's strategic shift in approach to become evidence-based, intelligence-led and risk-focused, MNZ underwent a review of its frontline and associated functions in 2012. A strengthened compliance focus has resulted in a number of structural changes and new appointments, with the establishment of a Maritime Compliance Group led by Harry Hawthorn (formerly General Manager of the **Rena** Response Group), who was appointed to his current role on 30 August 2012.

Maritime compliance manager appointments were confirmed in the latter part of 2012 and first part of 2013, with the managers profiled below.



Baz Kirk
National Advisor
Industry Support

Baz has a long association with the maritime industry, starting his career as a crewman on fishing boats out of Gisborne in the late 70s. After gaining his commercial skippers ticket in 1983, he skippered fishing boats and was involved in most aspects of the fishing industry.

After he came ashore in the mid-90s, Baz began working as a fishing tutor at a maritime school in Gisborne. He then took on the role of programme coordinator, involved in accreditation, academic quality management, vessel compliance and health and safety. Focusing on high achievement and 'can do' attitudes, the maritime school was well known for producing quality students.

A long-serving volunteer for Coastguard, Baz took up a role as Operations Manager for Coastguard Eastern Region, involving himself heavily in people and systems management, along with vessel compliance in Safe Ship Management (SSM). A strong focus on leadership and commitment saw Baz leading teams of volunteers tasked with effecting change and improvement of systems for the benefit of the organisation.

Baz's long association with MNZ meant that joining as Manager Commercial and Recreational Liaison in February 2012 was a natural step. His work developing networks and enhancing links with industry has led to his current role as National Advisor Industry Support in December 2012, based in Auckland. This role has a strong focus on the implementation of the Maritime Operator Safety System (MOSS), working alongside the three regional managers and their teams.

Baz is known for his 'can do' attitude, leadership skills and ability to engage with industry. He holds the following qualifications: Commercial Skipper, Senior Master Search and Rescue Vessel, and National Certificate Adult Education and Training.



Deane Ingram
Regional Compliance Manager
Northern

Deane's leadership experience was developed throughout 20 years of service as a naval officer with the Royal New Zealand Navy. Recently employed as Commanding Officer, Mine Counter Measures Team, at Devonport, Deane led the global specialist underwater search team on a variety of global deployments, including a local deployment during the **Rena** response.

Prior to that, he was the Operations Officer, developing and introducing an amphibious operation through designing innovative logistics solutions. In 2009, Deane was second-in-command of HMNZS **Endeavour**.

During his time in the Navy, Deane also held a number of senior project roles. As Future Capability Project Officer, he investigated the viability of an operation, and as Amphibious Operations Development Project Officer, he developed a change management plan to transition a new operation into business as usual. Deane was also the project manager for the development and introduction of a new interagency computer network.

As a Staff Officer at Headquarters Joint Forces New Zealand, Deane was the Lead Planner for Maritime Operations and the Naval Liaison Officer for the National Maritime Co-ordination Centre. This work included the establishment of new Standing Operating Procedures and Interagency Protocols.

Deane is also a commercially qualified skipper with experience driving charter vessels. He joined MNZ in March 2013 as Regional Compliance Manager Northern.



Pelin Davison Regional Compliance Manager Central

Prior to joining MNZ, Pelin worked as a senior consultant for Classification Society Det Norske Veritas (DNV) in their

Singapore office. During her 10 years with DNV, Pelin mainly worked in the area of risk management and safety and environmental management system implementation. This included managing and delivering projects that helped ship owners, charterers and regulators assess operational and strategic risk, identify solutions and implement appropriate risk-mitigating actions. Pelin was a key member of the team supporting clients in achieving the safety culture that they desired and that was expected of them from customers, regulators and the general public.

Pelin joined MNZ in November 2008 and was appointed to the Manager of the Safety and Environmental Audit Team role in June 2010 and then, in December 2012, to the role of Regional Compliance Manager Central. Her new role is focused on leading a team of regionally based Maritime Officers, who have a range of compliance tools available, including advice, education, audits, inspections and investigations.

Pelin also has a national portfolio responsibility for national standards and consistency of audits, including any audits that may be undertaken under the proposed MOSS framework, and is based in Wellington.



David Billington Regional Compliance Manager Southern

David began his maritime career as a deckhand on fishing vessels in 1986. He developed his qualifications over the next

18 years at sea, rising first to skipper on fishing trawlers. He then transferred to the merchant navy, where he rose through the ranks to ship's master (captain) on board P&O passenger roll-on roll-off vessels

He holds a British Foreign Going Master Mariner Certificate of Competency along with qualifications, among other things, in nautical science (HND), health and safety, the carriage of dangerous goods, bridge management, and offshore oil and gas, along with Lloyds Diploma in Marine Investigation.

David has extensive experience at sea, working on fishing trawlers, tankers, cargo vessels, offshore oil and gas dynamic positioning vessels (such as drill ships and cable laying vessels), and roll-on roll-off passenger vessels around the world.

He has also worked as a lecturer in offshore oil and gas and maritime safety training at the Fleetwood Nautical Campus in the UK and spent 17 years as a volunteer lifeboat

crewman with the UK Royal National Lifeboat Institute. During this time, David was involved in numerous search and rescue incidents at sea.

David began working with MNZ in August 2004, after emigrating to New Zealand with his wife and two children. He has worked for MNZ for nine years in the roles of Investigator in Wellington, and Maritime Safety Inspector based in Lyttelton.

He was seconded to the **Rena** Response Group in February 2012 as the Tauranga Response and Recovery Manager. Based in Tauranga, David was responsible for the monitoring and superintending of the salvage of **Rena**, which also involved extensive stakeholder engagement with iwi and local regional council staff.

David was appointed to the position Regional Manager Southern in February 2013, and is based in Christchurch.



Paul Fantham Manager Intelligence and Planning, Wellington

Paul is a former detective with the New Zealand Police's Criminal Investigation Branch. He began his police career as a constable and later progressed to become a detective.

Paul has extensive experience analysing intelligence for policing operations. He also has experience using intelligence-led models and has developed a range of intelligence products to resolve crime and reduce serious offending.

He joined MNZ as an Investigator five years ago and was soon elevated to a Senior Investigator. In this role, Paul undertook several high-profile inquiries, including investigations into the **Ady Gil** collision, **Mad Dog** river boarding fatality, the **San Cuvier** grounding, and a variety of other sensitive matters and fatalities. Paul's contributions to these challenging investigations resulted in highly successful results for both the maritime community and MNZ.

During 2012, as Manager, **Rena** Investigation, Paul led the investigation into the grounding of the cargo vessel **Rena**. Paul managed and led the investigation that resulted in the successful prosecution of ship's master, second officer and owner. He also supported Crown-led civil negotiations to successfully recover significant clean-up costs.

Paul has been a recreational boatie for most of his life, buying his first boat at 16. He is a keen fisherman and enjoys spearfishing.

He was appointed to the role Manager, Intelligence and Planning in January 2013, and is based in Wellington.

Fine sends clear message to polluters

Southern Storm Fishing Ltd, owner of the fishing vessel **Oyang 75**, was fined \$10,500 for failure to notify two discharges or escapes of harmful substances into the sea. MNZ says the fine sends a clear message that pollution of New Zealand's waters will not be tolerated.

The company faced charges under the Maritime Transport Act 1994 of failure to notify two harmful discharges into the sea.

"The rules around discharging waste are clear – we will not allow any operators to flout these regulations and damage New Zealand's marine environment," MNZ Manager Intelligence and Planning Paul Fantham said.

"This is a significant fine and shows that there are serious consequences for those who break the law in this way.

"This sentence sends a clear message that those responsible for the operation of a vessel are also responsible for ensuring they are aware of all aspects relating to discharge of waste," says Paul.

On 8 August 2011, MNZ inspectors discovered a concealed piping arrangement aboard the **Oyang 75** that allowed

unfiltered bilge effluent, containing oil, to be discharged directly into the sea when a hidden pump switch was turned on. The arrangement was hidden under the floor plates of the engine room.

"There was clear evidence that the piping had been used at least twice. While there is a clear legal requirement to notify MNZ if harmful substances are discharged or escape into the sea, no such notification was made," said Paul.

Under maritime rules and international maritime law (MARPOL), to which New Zealand is a signatory, vessels must use an oily water separator to remove harmful substances from any waste water discharged into the sea.

Southern Storm Fishing made a late guilty plea to a charge of failing to notify two discharges of a harmful substance to sea.

Oil pollution levies to increase

Oil pollution levies, which are collected by MNZ from industry to run this country's maritime oil pollution preparedness and response system, will increase from 1 July this year.

MNZ Director Keith Manch said the increases were necessary to ensure New Zealand's capability to respond to a major spill is maintained.

"The current annual costs of providing New Zealand's response programme are not being covered by the levies, and have been met from reserves in recent years. Moreover, a review of MNZ's response capability has identified the need for a modest amount of additional equipment and extra training of regional responders. The increase in levies will enable MNZ to address these needs," Keith said.

The levy increases are the first for 15 years and apply to all commercial vessels over 100 gross tons, offshore oil installations, exploration wells and oil pipelines. The levies are risk-based, meaning that each industry sector contributes according to the level of oil pollution risk that it generates.

The new levies will generate additional annual income of approximately \$1.5 million, increasing from the current \$3.1 million per annum to approximately \$4.6 million per annum.

Temporary levies will add an additional \$1.87 million over the next three years for the purchase of new oil pollution response equipment, and an additional \$1.2 million for responder training.

"There will undoubtedly be some issues raised in the independent review into MNZ's **Rena** response that will need to be looked at, but for now, we need to ensure we're as prepared as possible," Keith said.

Sad end to Antarctic search and rescue

The Rescue Coordination Centre New Zealand (RCCNZ) had a high-profile start to the year with the coordination in January of the search for three Canadian men missing in the Antarctic.

The men's Twin Otter aircraft had been en route from the South Pole to an Italian base at Terra Nova Bay, north-west of McMurdo Station. The plane had not maintained communications as scheduled, and late in the evening of 23 January, its emergency locator transmitter (ELT) was activated.

"The aircraft couldn't have been in a more treacherous or remote area," said RCCNZ Operations Manager John Seward. "The location was at a height of approximately 4,000m (13,000ft) at the northern end of the Queen Alexandra Range, which is about 720km south of McMurdo Station."

Bad weather hampered search efforts for some days, with winds in excess of 170km/hr, heavy snow, and visibility badly affected by thick cloud. However, the men were very well-equipped, with alpine tents, survival suits, and enough food and water for five days, so hopes remained they would be found alive.

There was considerable interest from both New Zealand and Canadian media, with MNZ's communications team receiving approximately 450 calls over the first three days of the operation.

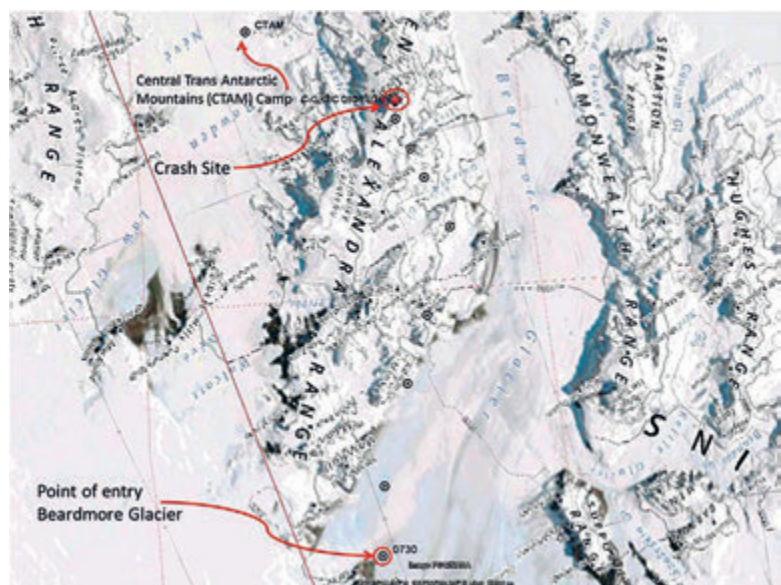
"It was extremely frustrating for the rescue crews, who were standing by at McMurdo waiting for the weather to break. It's not a nice feeling knowing there are people out there who need your help, but conditions mean it's impossible to provide it."

Once the weather cleared three days after the first beacon alert, a forward operating base was able to be set up around 50km from the site by Antarctica New Zealand and the United States Antarctic Program.

At that point, an overflight by a United States LC-130 (ski-equipped) Hercules identified the tail of the aircraft, which had clearly made a high-speed impact near the summit of Mt Elizabeth. A helicopter was then able to reach the site and it was assessed the crash was not survivable.

"A number of people put a lot of time and effort and emotional energy into this operation, and right up until we received word from the search teams, we were working with the hope that we would find them alive. Our thoughts are with the families and friends of those lost," said John.

A recovery operation will be attempted by Canadian authorities after the winter season.



The centenary of what had become known as the “Holiday Light” was celebrated in Castlepoint in February.

Castle Point Lighthouse is one of New Zealand’s most iconic towers and, as part of the celebrations, it was opened to the public.

MNZ’s lighthouse engineer Jim Foye said the event was well-attended, with over five hundred people touring the tower over the two days. “We don’t often get the chance to show people the inside of our lighthouses, so it was great to be able to open the doors. The tower’s such an icon for the area, so there was a lot of interest.”

The Castlepoint Residents’ Association was instrumental in organising the centenary events in the area, which included free concerts, historical displays, and a cavalcade of horses riding from Cape Palliser to Castlepoint along the beach.

The 23-metre cast iron lighthouse was manufactured in Wellington in 1912 and was the last of six cast iron towers to be made in New Zealand. The glass optic was supplied by Barbier, Bernard and Turenne (Paris), the turning mechanism lantern by James Milne and Son (Edinburgh), and the light source by Chance Bros (Birmingham) for a total cost of £9,703.

The light was lit for the first time on 12 January 1913. It still uses the original optic, with the light source being provided via a 1,000 watt lamp supplied by mains electricity. The light was originally illuminated by an incandescent oil-burning lamp, but was changed to diesel-generated electricity in 1954, and then to mains electricity in 1961. The original hand turning mechanism has also been replaced with electric motors. The lighthouse was fully automated and demanned in 1988 and is now maintained and remotely monitored by MNZ.

Technical details

Location: latitude 40°54’02 south, longitude 176°13’88 east

Elevation: 52 metres above sea level

Light configuration: 2nd order Fresnel lens, illuminated by a 1,000 watt incandescent bulb

Light flash character: white light flashing 3 times every 30 seconds

Power source: mains electricity

Range: 26 nautical miles (48 kilometres)

For more on this and other lighthouses:

[▶ maritimenz.govt.nz/lighthouses](http://maritimenz.govt.nz/lighthouses)

Foundry workers on top of the Castle Point tower at Lukes Foundry in Te Aro, Wellington in 1912. The tower was first lit in 1913.

CASTLE POINT LIGHTHOUSE

– a hundred years of safe navigation

Lifejacket wearing promotion reaches new audiences

Over summer we extended our “Don’t be a clown – wear a lifejacket” campaign to include advertising in more places boaties were likely to see it and as near as possible to ‘the boating moment’. Boaties checking the marine weather forecast got to see MNZ’s lifejacket wearing messages on the MetService website, and those looking at buying a boat on TradeMe saw “Don’t be a clown. Buy a lifejacket” as part of their boat buying checklist.

Complementing the clown television commercial, a One News marine forecast spot promoted lifejackets and other key safety messages, and a radio boating safety campaign targeted regional hot-spots and at-risk groups.

Almost 30,000 free safe boating packs were distributed at Z petrol stations throughout the country, catching boaties filling up on their way out or the way home. Several stations commented on how well received the promotion had been, with people picking up extra packs to give to their boatie mates. A sports shop in Matarangi took the lifejacket theme one step further for their Christmas parade, creating a boat float featuring lifejackets, kids dressed as clowns and a cardboard cut-out of the MNZ clown.

The campaign has aimed at creating behaviour change, so boaties wear a lifejacket every time they’re out on the water. We’re seeing the behaviour change reflected in anecdotal evidence of increased lifejacket wearing and changing public attitudes. There’s been increased news reporting of key safety messages, with reporters and bystanders referring to people who don’t wear lifejackets as ‘clowns’.

Even the penguin on the Penguin fish bait bag (see below) is now sporting a lifejacket, alongside our lifejacket safety message.



A sports shop in Matarangi and some local children in the Coromandel took the clown and lifejacket wearing message to the streets in their annual parade.





Rob Hewitt (second from right) practices the huddle position with some of the Folau Malu course participants at the Te Rauparaha pool in Porirua.

Folau Malu (Journey Safely) programme widens its net

MNZ, Water Safety New Zealand, Coastguard and ACC are continuing to work together to promote safe boating education in the Pasifika community through the Folau Malu (Journey Safely) programme.

The programme is designed to teach safe boating practices, including wearing lifejackets, having communications equipment on board, avoiding alcohol and checking the marine weather forecast.

Community members complete a Coastguard day skipper course in one of two languages (Tongan and Samoan) before heading out on the water and into their communities with the safe boating message.

MNZ Maritime Officer Alistair Thomson says the courses also reinforce messages around overloading boats, and that conditions in New Zealand are significantly different from the islands.

“The water’s cold here in comparison and the weather changes really quickly. Squalls can blow through in a hurry and then you get wind, waves and rain – things can go from pretty nice to pretty awful very quickly.”

Despite concerted efforts in the community across south Auckland, Alistair says he’s still seeing risky behavior on the water.

“We’ve had five church ministers across 10 denominations in south Auckland promoting safe boating messages, and over 200 participants through the Folau Malu programme,

which is fantastic – but it’s immensely frustrating that we’re still seeing people heading out without lifejackets, in overloaded boats.”

However, Alistair says the messages are getting through to some, with around a hundred people in the Samoan and Tongan communities moving through the course in the first few months of 2013.

“For much of the community, boat safety comes second to the need to go out and catch your dinner, but recently we had a woman who’d been a boatie for 20 years come through, and this was her first boating course. She had thought lifejackets were too hot and bulky, so didn’t bother with them – she’s a convert now though!”

Former Navy diver Rob Hewitt, who survived four days and three nights in the water off the Kapiti coast in 2006, recently delivered a Folau Malu class in Porirua. Alistair says it’s great to extend the programme further south and to have the messages delivered by someone with Rob’s mana. “Here’s a guy with an amazing survival story, who’s very close to his community, well-respected and a hell of a nice guy to boot – he’s been awesome.”

In addition to the community day skipper course, a small number of people who have been through the course are appointed as MNZ volunteer safe boating advisors. They then join a nationwide network of about 180 advisors, who liaise with regional council harbourmasters and Coastguard to provide boaties with safety advice and information.

More information about the Folau Malu programme and day skipper courses is available through your local Coastguard.



MNZ's legislative role

MNZ's role is to make life at sea safer, protect the maritime environment from pollution, and ensure New Zealand ports and ships are secure.

This is achieved through the compliance function of MNZ, which is driven by a number of legislative frameworks. Some of these include the Ship Registration Act, the Maritime Transport (MTA) Act, the Hazardous Substances and New Organisms (HSNO) Act, and the Health and Safety in Employment (HSE) Act. The new Maritime Operator Safety System (MOSS), which is planned to come into force in mid-2014, will also provide the structure to assist the majority of commercial maritime operators to meet their obligations under the MTA.

The maritime rules made under the MTA cover both recreational and commercial operators, whereas the HSE Act applies to ships as places of work. This includes owner-operators, operators that employ others to work aboard their vessels, and those who contract others to perform duties on their behalf.

The MTA deals with systems and survey matters relating to ships, and the qualifications of the seafarers that operate them. Maritime rules made under the MTA are largely prescriptive and tend to clearly stipulate how to deal with a particular issue.

The HSE Act seeks to monitor and positively influence the work-related behaviour of people, and is performance based or outcomes focused. The Act takes into account the wide range of human behaviour, and does not specify how to achieve a particular outcome. Instead it relies upon a duty holder/employer taking "all practicable steps" to ensure the health and safety of people in the workplace.

What is practicable for a large company may not be so for a sole trader. So the HSE Act makes provision for a variety of solutions to a particular problem.

What does the HSE Act mean for MNZ and the maritime sector?

Compliance with all relevant legislation must be regarded as a cost of entry to any business enterprise. This is no different for a fishing vessel, an adventure tourism activity, or coastal shipping, to name but a few commercial maritime activities.

Each operator is expected to tailor their activities according to their own requirements and abilities in order to achieve safe outcomes for themselves and their employees. Employees also have a duty to be diligent about their own health and safety and that of others in or near a place of work. A focus on health and safety is therefore an ongoing and integral part of running any business.

MNZ has invested in updated HSE Act training for Maritime Officers. They will fill the various roles mandated under the HSE Act – inspector, educator and, in some cases, the investigator, who may take a prosecution against an offending operator.

The majority of employees in the maritime sector just want to make a living from the sea, operating in a safe and cost-effective manner without having their crew injured or permanently disabled. MNZ's Maritime Officers will be able to provide helpful advice on how to achieve HSE compliance. In addition, MNZ will continue to develop guidance material on the various HSE-related issues. This will be made available on the MNZ website:

maritimenz.govt.nz

More than 130 submissions received on SeaCert

SeaCert

SeaCert, a new qualifications and operating limits framework for commercial operators, was developed with significant input from the maritime community. This framework covers domestic and international certificates of competency and proficiency. These govern where and how seafarers and vessels can operate in and around New Zealand and international waters. The proposed new maritime rules support this framework.

Consultation on the new rules closed on 29 March 2013. More than 130 submissions were received and analysis is underway to inform the drafting of the final rules. MNZ is on track for the rules to be completed for the Minister of Transport's consideration later in 2013. Following the Minister's decision, it is intended that SeaCert will come into force no earlier than January 2014.

MOSS update and new Industry Advisory Group

MOSS

In December, MNZ announced a phased in implementation plan for the new Maritime Operator Safety System (MOSS) for the maritime sector, with operators coming into the new system from 1 July 2014. The proposed rules for MOSS, which will replace the current Safe Ship Management (SSM) system, are due to be considered by the Transport Minister by 1 July 2013. It is anticipated the new rules will come into force on 1 July 2014.

This implementation timing allows MNZ and the sector to fully engage and be better prepared for the changes that will occur.

SSM companies, surveyors and operators will continue to operate as they currently do until 1 July 2014. Operators will continue to be members of an SSM company and must meet their obligations under SSM, including renewing SSM Certificates when they expire and having vessels surveyed in accordance with their survey plans.

In March, MNZ called for applicants from the sector to be part of a MOSS Industry Advisory Group, to help with the successful implementation of MOSS.

We were pleased to receive 37 high quality applications demonstrating a cross-section of experience, knowledge and skills. Following evaluation of all applications, eight industry participants have now accepted our invitation to become members of the MOSS Industry Advisory Group. They are:

- | | |
|------------------|-----------------|
| ■ Peter Bloxham | ■ Ian MacLeod |
| ■ Chris Clark | ■ Robert Odey |
| ■ Carol Forsyth | ■ Andrew Somers |
| ■ Bryan Hjorring | ■ Jeremy Ward. |

The advisory group will provide advice on key operational matters relating to the implementation of the new MOSS system, as set out in Rule Parts 19 and 44.

This is likely to include advice on elements of the operational policy and procedures that MNZ will need to develop to support the successful implementation of MOSS. The advisory group will not provide advice on any matters prescribed in the MOSS rules (Parts 19 and 44) as these have been finalised.

This is not the only chance for industry to be involved in MOSS implementation. Later this year, MNZ intends to seek feedback on the fees payable for MOSS activities. It is also considering ways to involve industry participants in the development of educational and communications material. This is likely to begin once the new MOSS rules have been approved by the Minister – which is expected to occur prior to 1 July 2013.

For further updates, please keep an eye on the MNZ website maritimenz.govt.nz/MOSS for more information and sign up to our e-newsletter *SeaChange*.

SeaCHANGE

Keep up with what's new and changing in the maritime sector with **SeaChange**
Sign up at maritimenz.govt.nz/seachange

FV Mainstream first to be reflagged



First raising of the New Zealand flag on board *Mainstream*.



Bosun Sergei Sotnitskiy marks Lyttelton as the home port on Mainstream's stern, as part of the reflagging process.

The Ukrainian vessel FV **Mainstream** was the first foreign chartered fishing vessel (FCFV) officially registered as a New Zealand vessel, bringing it under New Zealand labour and health and safety laws.

The flag state system means that ships are provided with nationalities ('a flag') and are then required to comply with the laws of that country. **Mainstream** is chartered by Independent Fisheries and, until the reflagging in March, was previously registered in Dominica.

The legal registration of the vessel was changed from Dominica to New Zealand, after satisfying the requirements of the Ship Registration Act 1992 that the New Zealand charterer has the 'whole possession and control of the ship, including the right to appoint its master and crew'. Discussions on reflagging of **Mainstream** began in June 2012 and MNZ applied its normal charges for change of registration and recognition of certificates.

The reflagging process involves ensuring the vessel and its safety systems are fully compliant with New Zealand maritime rules and meet the ongoing requirements of the Health and Safety in Employment Act 1992, and recognising foreign crew qualifications to the New Zealand equivalent certificate (with the crew passing an oral examination to assess competence and knowledge of New Zealand requirements).

Legislation is before Parliament to make it compulsory for all foreign chartered fishing vessels to be reflagged by 2016.

"MNZ is working closely with all operators to provide guidance and support through the transition

to reflagging, while ensuring that the integrity of New Zealand's maritime and health and safety standards is maintained," said MNZ General Manager Maritime Standards Sharyn Forsyth.

"The first reflagging shows the system is already in place to allow companies to make New Zealand the flag-state for charter vessels and I expect more vessels to be reflagged in future," she said.

There are now 16 FCFVs operating year-round in New Zealand waters. An additional six vessels operate seasonally.

The reflagging process

The vessel is inspected by MNZ and feedback is provided on requirements to be met under the Maritime Transport Act and the Health and Safety in Employment Act.

Ownership paperwork must then be provided to show that the New Zealand charterer has effective control of the vessel, and any overseas registration is closed or suspended.

MNZ will then reconcile the foreign crew's qualifications with their New Zealand equivalent certificate – this includes passing an oral examination.

They also need their Shipboard Marine Oil Spill Contingency Plan (SOPEP) re-approved by MNZ.

A recognised surveyor must then inspect the vessel to ensure all requirements have been carried out – this includes permanent 'carving and marking', which includes changing the home port shown on the stern.

